

To: Campbell, Ann[Campbell.Ann@epa.gov]

From: Gude, Karen

Sent: Wed 5/25/2016 7:06:28 PM Subject: FW: PAGS and LCR letter dates

Just FYI...latest on PAGs release estimates from OGWDW Communications.

From: Wadlington, Christina

Sent: Wednesday, May 25, 2016 2:56 PM

To: Dennis, Allison < Dennis. Allison@epa.gov>

Cc: Loop, Travis Loop.Travis@epa.gov; Gude, Karen Gude, Karen@epa.gov; Evalenko, Sandy Evalenko.Sandy@epa.gov; Flaharty, Stephanie Flaharty.Stephanie@epa.gov;

Greene, Ashley <Greene.Ashley@epa.gov>
Subject: FW: PAGS and LCR letter dates

Alison,

Confirming my understanding for PAGS. We are publically releasing PAGS on 6/6. Therefore, we will work to get signature on 6/6. Not get the FRN published by that date.

Christina Wadlington

Communications Director

Office of Ground Water and Drinking Water

U.S. Environmental Protection Agency

Tel: 202.566.1859

Email: wadlington.christina@epa.gov

Physicians for Social Responsibility * Natural Resources Defense Council Sierra Club * Friends of the Earth * Food and Water Watch Clean Water Action * Public Citizen * Beyond Nuclear Nuclear Information and Resource Service Environment America * Committee to Bridge the Gap * Riverkeeper

November 30, 2016

Gina McCarthy, US EPA Administrator
US EPA Headquarters
William Jefferson Clinton Building
1200 Pennsylvania Avenue, N. W. Mail Code: 1101A
Washington, DC 20460
202-564-4700
McCarthy.gina@Epa.gov

Dear Administrator McCarthy:

We understand that you are close to deciding whether to approve the 2013 Protective Action Guides (PAGs) and the additional Radionuclide Drinking Water PAGs any day now. Please take one more step before making that important decision: meet with us one more time, to clarify critical information.

As you know our groups and many others have been diligently commenting and raising serious concerns for many years about the PAGs. We believe that some of the premises that are being used to justify your final adoption of these PAGs are incorrect and ask that you meet with us one last time before proceeding.

The pending PAG proposal would upend decades of clean water protections. We think it would be appropriate for you to meet with us and consider seriously the information we have to provide before embarking on such a significant step backwards in terms of public protections.

We call your attention to a recent investigative piece on the issue by NBC Bay Area, which can be watched at http://www.nbcbayarea.com/investigations/E-P-AS-NEW-EMERGENCY-PLAN-FOR-DRINKING-WATER-CONCERNS-MANY-401206656.html.

After many environmental victories and successes throughout your tenure, moving the nation forward to a cleaner, safer, more energy efficient environment, we ask that you not depart with an unnecessary action that will justify enormous increases in radioactivity in drinking water.

We appreciate your service and ask you to reconsider how approving the PAGs will affect your legacy. We would be extremely grateful to meet with you at your earliest convenience, before you make this critical decision.

Sincerely,

Diane D'Arrigo*

Director Radioactive Waste Project

Nuclear Information and Resource Service

Catherine Thomasson, M.D.

Executive Director

Physicians for Social Responsibility

Damon Moglen

Senior Strategic Advisor

Friends of the Earth

Lynn Thorp

National Campaigns Director

Clean Water Action

Catherine Lincoln

Executive Coordinator

Committee to Bridge the Gap

Paul Gallay

President

Hudson Riverkeeper

Geoff Fettus

Senior Attorney

Natural Resources Defense Council

John Coequyt

Director International Climate Programs

Sierra Club

Wenonah Hauter

Executive Director

Food and Water Watch

Anna Aurilio

Washington DC Office Director

Environment America

Allison Fisher

Outreach Director

Public Citizen

Cindy Folkers

Radiation Specialist

Beyond Nuclear

^{*} Point of contact: Diane D'Arrigo 202-841-8588 dianed@nirs.org

MEMO TO: Karen Gude, special assistant to EPA Office of Water AA Joel Beauvais FROM: Diane D'Arrigo, Nuclear Information and Resource Service RE: Attendees for meeting on Water PAGs January 3, 2017

Attendees for meeting on Water PAGs

Diane D'Arrigo Nuclear Information and Resource Service

Geoff Fettus Natural Resources Defense Council

Damon Moglen Friends of the Earth

Dr. Catherine Thomasson Physicians for Social Responsibility

Emily Wurth Food and Water Watch

John Coequyt or Dalal Aboulhosn Sierra Club

Cindy Folkers Beyond Nuclear

Lynn Thorp Clean Water Action

On phone

Paul Gallay Hudson Riverkeeper

Dan Hirsch Committee to Bridge the Gap

2 others



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OCT - 6 2016

OFFICE OF WATER

MEMORANDUM

SUBJECT: For Office of Management and Budget E.O. 12866 Review: Protective Action Guide

(PAG) for Drinking Water

FROM: Joel Beauvais, Deputy Assistant Administrator (4101M)

TO: Laura Vaught, Associate Administrator (3513A)

Office of Policy

Attached for your review and transmittal to the Office of Management and Budget for an E.O. 12866 review is the draft final Protective Action Guide for Drinking Water.

The revised PAG document addresses the Office of Land and Emergency Management's comment and is now ready for transmission to OMB in accordance with the Administrator's direction during the meeting of September 29, 2016.

I recommend that you forward the guidance to OMB to initiate review.

Attachments

Ty 11/21/16

6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OAR-2007-0268; FRL -]

Revision to the PAG Manual: Protective Action Guide (PAG) for Drinking Water after a

Radiological Incident

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of document availability.

SUMMARY: As part of its mission to protect human health and the environment, the U.S.

Environmental Protection Agency publishes protective action guides to help federal, state, local

and tribal emergency response officials make radiation protection decisions during emergencies.

EPA, in coordination with a multi-agency working group within the Federal Radiological

Preparedness Coordinating Committee, recently updated its guidance manual on this topic, titled

"Protective Action Guides and Planning Guidance for Radiological Incidents" (2016 PAG

Manual). In this notice, EPA is announcing that it has amended the Intermediate Phase Protective

Action Guides Chapter of the 2016 PAG Manual to incorporate guidance for radiation protection

decisions concerning drinking water. The revised PAG Manual is now available at

www.regulations.gov, under ID No. EPA-HQ-OAR-2007-0268.

DATES: The revised PAG Manual is available for use upon publication of this Notice in the

Federal Register.

FOR FURTHER INFORMATION CONTACT: Samuel Hernandez. Standards and Risk

Management Division, Office of Ground Water and Drinking Water, Mail Code 4607M, U.S.

Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460;

telephone number: (202) 564-1735; E-mail: hernandez.samuel@epa.gov.

Page 1 of 9

SUPPLEMENTARY INFORMATION:

A. How can I get copies of the PAG Manual and supporting information?

Docket: All documents in the docket are listed in the www.regulations.gov index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. The EPA has established a docket for this action under Docket ID No. EPA-HQ-OAR-2007-0268. Publicly available docket materials are available either electronically through www.regulations.gov or in hard copy at the Air and Radiation Docket in the EPA Docket Center, (EPA/DC) EPA West, Room 3334, 1301

Constitution Ave., NW, Washington, DC 20004. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744 and the telephone number for the Air and Radiation Docket is (202) 566-1742. In accordance with normal EPA docket procedures, if copies of any docket materials are requested, a reasonable fee may be charged for photocopying.

Electronic access: The PAG Manual in electronic form suitable for printing, as well as related guidelines and further information, can be found on the PAGs web page at http://www.epa.gov/radiation/protective-action-guides-pags.

B. What authority does EPA have to provide Protective Action Guidance?

The historical and legal basis of EPA's role in the PAG Manual begins with Reorganization Plan No. 3 of 1970, in which the Administrator of the EPA assumed all the functions of the Federal Radiation Council (FRC), including the charge to "...advise the President with respect to radiation matters, directly or indirectly affecting health, including guidance for all federal

agencies in the formulation of radiation standards and in the establishment and execution of programs of cooperation with [s]tates." (Reorg. Plan No. 3 of 1970, sec. 2(a) (7), 6(a) (2); § 274.h of the Atomic Energy Act of 1954, as amended (AEA), codified at 42 U.S.C. § 2021(h)). Recognizing this role, the Federal Emergency Management Agency (FEMA) directed EPA, in its Radiological Emergency Planning and Preparedness Regulations, to "establish Protective Action Guides (PAGs) for all aspects of radiological emergency planning in coordination with appropriate federal agencies." (44 CFR 351.22(a)). FEMA also tasked EPA with preparing "guidance for state and local governments on implementing PAGs, including recommendations on protective actions which can be taken to mitigate the potential radiation dose to the population." (44 CFR 351.22(b)). All of this information was to "be presented in the Environmental Protection Agency (EPA) 'Manual of Protective Action Guides and Protective Actions for Nuclear Incidents." (44 CFR 351.22(b)).

Additionally, section 2021(h) charged the Administrator with performing "such other functions as the President may assign to him [or her] by Executive Order." Executive Order 12656 states that the Administrator shall "[d]evelop, for national security emergencies, guidance on acceptable emergency levels of nuclear radiation...." (Executive Order No. 12656, sec. 1601(2)). EPA's role in PAGs development was recognized by the National Response Framework. Nuclear/Radiological Incident Annex of June 2008.

C. What is the PAG Manual: Protective Action Guides and Planning Guidance for Radiological Incidents?

The PAG Manual provides federal, state and local emergency management officials with guidance for responding to radiological emergencies. A protective action guide (PAG) is the projected dose to an individual from a release of radioactive material at which a specific

protective action to reduce or avoid that dose is recommended. Emergency management officials use PAGs for making decisions regarding actions to protect the public from exposure to radiation during an emergency. Such actions include, but are not limited to, evacuation, shelter-in-place, temporary relocation and food restrictions.

Development of the PAGs was based on the following essential principles, which also apply to the selection of any protective action during an incident:

- Prevent acute effects.
- Balance protection with other important factors and ensure that actions result in more benefit than harm.
- Reduce risk of chronic effects.

The PAG Manual is not a legally binding regulation or standard and does not supersede any environmental laws. This guidance does not address or impact site cleanups occurring under other statutory authorities such as the EPA's Superfund program, the Nuclear Regulatory Commission's (NRC) decommissioning program, or other federal or state cleanup programs. As indicated by the use of non-mandatory language such as "may," "should" and "can," the PAG Manual only provides recommendations and does not confer any legal rights or impose any legally binding requirements upon any member of the public, states or any other federal agency. Rather, the PAG Manual recommends projected radiation doses at which specific actions may be warranted in order to reduce or avoid that dose. The PAG Manual is designed to provide flexibility to be more or less restrictive as deemed appropriate by decision makers based on the unique characteristics of the incident and the local situation.

D. How did EPA respond to public comments on the proposed Draft Protective Action Guide for Drinking Water?

On June 10, 2016, EPA published a <u>Federal Register</u> notice requesting public comments on the proposed drinking water PAG and the guidance for advance planning (81 FR 37589). EPA sought specific comments and feedback on the appropriateness of the drinking water PAG and possible implementation challenges associated with the two-tiered approach. In addition, EPA asked whether a single-tier drinking water PAG should be considered rather than using the tiered approach.

In response, the Agency received over 60,000 comment letters from members of the public, state and local emergency response and health organizations, environmental advocates, industry associations and other stakeholders. Most of the comment letters expressed concerns with the proposal. Commenters wrote that the proposal could weaken the regulatory requirements of the Safe Drinking Water Act. In addition, environmental advocacy organizations indicated that the drinking water PAG dose levels were too high and insufficient to be protective of human health, asked EPA to withdraw the proposal and in its place, use the National Primary Drinking Water Regulations for Radionuclides as the basis for any emergency response measures regarding drinking water.

Commenters also asserted that the proposed drinking water PAG did not conform to the National Environmental Policy Act (NEPA) as well as other regulations dealing with cleanup and waste management of radioactive contaminants. Commenters expressed doubts regarding the duration that the drinking water PAG would be implemented after an incident, claiming that the drinking water PAG could be in place for timeframes exceeding one year.

In response to comments, EPA has amended the drinking water guidance to emphasize, with

regards to the scope of the drinking water PAG recommendations, that they are only intended to apply to nationally significant radiological contamination incidents, such as a disaster at a nuclear power plant, a radiological dispersal device or an improvised nuclear device, and for a duration which may last for weeks to months but not longer than one year.

Some commenters expressed concerns that PAGs would weaken drinking water standards and regulations. Environmental regulations or standards are legal limits designed to prevent health effects from everyday exposure to low levels of radiation over long periods. The PAG levels are guidance for emergency situations; they do not supplant any standards or regulations, nor do they affect the stringency or enforcement of any standards or regulations. The PAG levels are intended to be used only in an emergency when radiation levels have already exceeded environmental standards and could be high enough to cause health effects unless protective actions are taken. The PAG levels trigger public safety measures to minimize or avoid radiation exposures during an emergency.

To develop guidance on drinking water considerations, EPA based its assessment on assumptions limiting exposures to a one-year timeframe. EPA expects that the responsible party for any drinking water system adversely impacted during a radiation incident will take action to return to compliance with Safe Drinking Water Act levels as soon as practicable.

The National Primary Drinking Water Regulations establish regulatory limits designed to minimize health effects from everyday exposure to low levels of radiation over long periods and they are not changing with this action. Emergency guides are temporary measures to minimize risk while enabling prioritization of limited resources during an emergency response.

Estimated risk of excess cancer cases for lifetime exposure (70 years) to beta emitting radioactive contaminants in drinking water at 4 mrem/yr (the MCL) generally falls in a range of

risks deemed acceptable by EPA. Estimated risks associated with a shorter (one-year) exposure to radioactivity in drinking water at the proposed PAG levels fall within a similar risk range.

Further, the EPA drinking water PAG meets NEPA policy goals because it is based on analyses, documentation and review procedures that are functionally equivalent to NEPA.
"Activities for the development of federal radiation regulations and guidance in accordance with the Atomic Energy Act of 1954 are functionally equivalent to NEPA (63 Fed. Reg. 58045 [1998])"

Commenters questioned whether the EPA considered cumulative effects in developing the drinking water PAG. In developing the PAG Manual, the Agency considered the potential for cumulative exposure from multiple exposure pathways including: plume inhalation, immersion, ground shine, drinking water ingestions and food, among others. However, EPA has determined that for implementation purposes, it is impractical to compartmentalize joint protective actions, since allocations of dose to different segments of the population based on individual exposure routes will depend on site-specific circumstances and is impossible to quantify. While the PAGS for the various pathways are separate, emergency management officials should consider all relevant exposure routes when making protective action decisions in an emergency. In addition, incident-specific factors like geographical location, ongoing weather and population affected should be considered after a contamination event, and specific exposure routes should be identified to allow different types of protective actions to be aimed at the specific risks to be avoided.

PAGS do not represent "acceptable" routine exposure in the way that regulatory standards such as maximum contaminant levels do. PAGS are guidance levels to support emergency decision making by response authorities to avoid unnecessary radiation exposure. Development

and implementation of PAGs is always guided by three basic principles: Prevent acute effects, balance protection with other important factors, ensure that actions result in more benefit than harm and reduce risk of chronic effects.

Several commenters from state emergency management agencies and radiation control programs expressed support for EPA's proposal, stating that the guidance was well developed and technically sound; and that the incorporation of the drinking water PAG into the PAG Manual is a critical aspect of a coordinated emergency response after a radiation contamination incident.

Some commenters suggested that while they support the incorporation of the drinking water PAG, they believe the proposed PAG was too conservative and that EPA should consider establishing the PAG in the 2,000 to 10,000 mrem range.

EPA believes that the drinking water PAG should be consistent with and within the range of currently available guidance for other exposure pathways during the intermediate phase. Also, when possible, the drinking water PAG recommendations should be based on an additional level of protection to sensitive life-stages. For short-term incidents, as explained in the PAG Manual, it is appropriate to have a 500 mrem PAG level for drinking water for the general population and a lower-tier PAG level of 100 mrem for persons at sensitive life-stages, including pregnant women, nursing women, and children 15 years old and under. This approach of setting a two-tier level of protection incorporates suggestions submitted by commenters regarding the adequate consideration of children and sensitive subpopulations.

There is an abundance of caution built into the derivation of the drinking water PAG through a variety of assumptions, including conservative dose-response modeling, selection of the most sensitive life stages to derive the PAG for children through age 15 years, and by not taking into

[Title: Revision to the PAG Manual: Protective Action Guide (PAG) for Drinking Water after a Radiological Incident; page 9 of 9]

account reductions to radiation exposure due to radionuclide decay over time. This action ensures that the protective measures it recommends are appropriate for all members of the public, including sensitive subpopulations.

E. What is the timeframe for implementation of this PAG Manual?

Emergency management and radiation protection organizations that use the PAGs in their emergency plans are encouraged to incorporate this updated guidance as soon as possible. This may entail training, as well as the update of plans and procedures. Outreach and technical training will be conducted by the EPA, the Federal Radiological Monitoring and Assessment Center and interagency partners of the PAG Subcommittee.

FEMA expects certain organizations associated with nuclear power plant operations to use the PAG Manual in developing their emergency management plans. FEMA plans to begin using the new PAG Manual during their evaluation of offsite response organizations around nuclear power facilities 12 months after the publication of this notice in the <u>Federal Register</u>.

For further information and related guidelines, see the PAGs web page:

http://www.epa.gov/radiation/protective-action-guides-pags.

Dated:		removed a reason and the second reason and the construct		energen distabili har insisten ann delaksigken tillite	and the contract of the state o	
		anti-ant ia to ta poeta esterior				
	ley Meiburg Deputy Adı		·.			

Flaharty, Stephanie

From:

Flaharty, Stephanie

Sent:

Thursday, May 26, 2016 8:22 AM

To:

Flaharty, Stephanie

Subject:

FW: Concurrence on DW PAG Draft Document

From: Bangser, Paul

Sent: Thursday, May 26, 2016 8:19 AM

To: Hernandez-Quinones, Samuel < Hernandez Samuel@epa.gov>

Cc: Christ, Lisa < Christ. Lisa@epa.gov>; Wehling, Carrie < Wehling. Carrie@epa.gov>

Subject: RE: Concurrence on DW PAG Draft Document

Hi Sam,

Yes, I am confirming that, after our recent meeting, OGC has no legal objections with the proposed drinking water Protective Action Guidelines document and FR notice as they currently stand, and we concur with moving these documents forward for proposal.

Thanks.

Paul Bangser Attorney, Office of General Counsel U.S. Environmental Protection Agency 202-564-5479 bangser paul@epa.gov

From: Hernandez-Quinones, Samuel
Sent: Tuesday, May 24, 2016 9:04 AM
To: Bangser, Paul bangser.paul@epa.gov
Cc: Christ, Lisa Crist.Lisa@epa.gov

Subject: RE: Concurrence on DW PAG Draft Document

Hi Paul,

We are getting ready to take the PAG Action to Joel for Publication. I have been asked to provide a notification that OGC does not have any Legal Objection with the proposal. As you know you previously reviewed the proposal which then went to OMB for review. We had very minor revisions as a result of OMB review and you already indicated in our meeting a couple weeks ago that there were no legal issues.

Could you sent to me an email indicating that we are cleared by you to move ahead? We have been asked to move expeditiously as this is a high priority for the Agency. OW intends to sign this action out this week.

Thank You Sam

The state of the control of the cont

Samuel Hernández Quiñones, P.E. Environmental Engineer Office of Water Environmental Protection Agency 1200 Pennsylvania Ave. NW Washington, DC 20460 202-564-1735

"USEPA Protecting Human Health and the Environment"

From: Bangser, Paul

Sent: Thursday, November 19, 2015 2:22 PM

To: Hernandez-Quinones, Samuel < Hernandez. Samuel@epa.gov>

Cc: Christ, Lisa < Christ Lisa@epa.gov>; Flaharty, Stephanie < Flaharty. Stephanie@epa.gov>; Wehling, Carrie

< Wehling Carrie@epa.gov >; Neugeboren, Steven < Neugeboren Steven@epa.gov >; Stahle, Susan

<Stable_Susan@epa.gov>

Subject: Concurrence on DW PAG Draft Document

Hi Sam,

I am writing to give you OGC's concurrence regarding the attached document, "Draft Protective Action Guide (PAG) for Drinking Water," dated Oct. 21, 2015, which we understand the Office of Water is seeking to move forward for proposal and public comment. We concur with moving this document forward for proposal.

Thanks,

Paul Bangser Attorney, EPA Office of General Counsel 202-564-5479 bangser.paul@epa.gov

From: Hernandez-Quinones, Samuel
Sent: Tuesday, November 03, 2015 9:55 AM
To: Bangser, Paul bangser.paul@epa.gov

Cc: Christ, Lisa < Christ.Lisa@epa.gov>; Flaharty, Stephanie < Flaharty.Stephanie@epa.gov>

Subject: RE: DW PAG Draft Document

Hi Paul,

Here is the most recent version of the document. There are no significant changes from the version you reviewed.

Thank You Sam

Samuel Hernández Quiñones, P.E. Environmental Engineer Environmental Protection Agency Office of Water 1200 Pennsylvania Ave. NW



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

MAY 2 5 2016

OFFICE OF WATER

MEMORANDUM

SUBJECT: Draft Protective Action Guide (PAG) for Drinking Water for Radiological Incidents

(Tier 3, SAN 5198) - ACTION MEMORANDUM

FROM: Peter Grevatt

Director, Office of Ground Water and Drinking Water

TO: Joel Beauvais

Deputy Assistant Administrator

PURPOSE

Attached for publication in the *Federal Register* is the notice announcing the availability of the Draft Protective Action Guide for Drinking Water, which is a key addition to the U.S. Environmental Protection Agency's revision of the Protective Action Guides and Planning Guidance for Radiological Incidents (referred to as the PAG Manual). I am requesting that you sign the FR notice, which also announces our request for public comment on the Draft Protection Action Guide for Drinking Water.

The purpose of EPA's PAG Manual is to help federal, state, local and tribal authorities make decisions to protect the public during radiological emergencies.

DEADLINE

After responding to the Fukushima Radiation Release Incident, the agency recognized that it urgently needed to develop additional recommendations to protect the public from radiation in drinking water following a radiological emergency. The Office of Water, in collaboration with the Office of Air and Radiation, are working towards publishing the final PAG Manual, including the drinking water PAG, by the end of the calendar year 2016.

OVERVIEW

A protective action guide is the projected dose to an individual from a release of radioactive material at which a specific protective action to reduce or avoid that dose is recommended. Emergency management officials use PAGs for making decisions regarding actions to protect the public from exposure to radiation during an emergency. Such actions include, but are not limited to, evacuation, shelter-in-place, temporary relocation, access restrictions and food embargos. The PAGs are neither legally binding regulations nor standards and do not supersede any environmental laws or regulations. They are not intended to define "safe" or "unsafe" levels of exposure or contamination. They define the projected radiation doses at which specific actions may be warranted to reduce exposure during the weeks to months following an incident. The PAG Manual provides information and flexibility to decision makers based on the characteristics of the incident and the local situation.

The PAGs are based on the following essential principles, which also apply to the selection of any protective action during an incident:

- prevent acute effects;
- balance protection with other important factors and ensure that actions result in more benefit than harm; and
- reduce risk of chronic effects.

The drinking water PAG consists of a two-tiered, intermediate phase PAG of 100 mrem projected dose in the first year for children 15-years old and under, and nursing or pregnant women, to provide additional protection for the most sensitive life stages; and 500 mrem projected dose in the first year for the general population. The intent of the PAG is to inform decisions to restrict the use of contaminated water for drinking purposes, and to provide alternative drinking water options for the affected community. Options decision makers can consider for providing alternate drinking water could include: bottled water, obtaining a new uncontaminanted water source, installing treatment, interconnection between water systems or a combination of these actions.

Under the Safe Drinking Water Act, the agency has established maximum contaminant levels for radiological contaminants in drinking water. The National Primary Drinking Water Regulations for Radionuclides established a dose-based limit of 4 mrem/year for beta particle and photon radioactivity, based on lifetime exposure criteria, which assume 70 years of continued exposure to contaminants in drinking water. The agency determined that it may not be appropriate to base response measures during short-term emergency incidents on lifetime exposure criteria. While the SDWA framework is appropriate for day-to-day normal operations, it may not provide helpful information to assist emergency responders with determining the need for an immediate protective action. The PAG does not change a water system's requirements to comply with the radionuclides drinking water regulation. The agency assumes that any drinking water system adversely impacted during a radiation incident will be able to achieve compliance with MCLs as soon as practicable.

Regulatory History

The Administrator of the EPA assumed all the functions of the Federal Radiation Council in 1970, including the charge to "...advise the President with respect to radiation matters, directly or indirectly affecting health, including guidance for all federal agencies in the formulation of radiation standards and in the establishment and execution of programs of cooperation with [s]tates." The agency's role in PAG development was reaffirmed by the Federal Emergency Management Agency regulations and the Nuclear/Radiological Incident Annex of the National Response Framework in June 2008.

ANTICIPATED PUBLIC AND STAKEHOLDER RESPONSE

We are anticipating a reaction to this draft proposal similar to that received on the 2013 revised PAG Manual. In general, the intended users of the Manual (including state, local and tribal entities) were positive about the 2013 PAG Manual and will provide helpful suggestions. The drinking water utility associations will provide feedback on further implementation guidance needed for their plans. Some environmental groups will respond that the radiation levels provided in the guidance are not safe (thousands of times greater than SDWA standards), and will state that the PAGs undermine environmental regulations, including the drinking water standards for radionuclides. We are working with OW communications to include messages in outreach materials to help address these concerns.

INTERNAL DEVELOPMENT AND REVIEW PROCESS

This is a Tier 3 action. Through the development of this guidance, my staff have worked closely with staff from the Office of Air and Radiation. The Office of Water briefed and solicited comments from the

Office of Land and Emergency Management (including the Environmental Response Team and the Consequence Management Advisory Team), the Office of General Counsel (the Air and Radiation Law Office and the Water Law Office) and the Office of Homeland Security. No major issues were identified and the reviewing offices concurred that the document should be published for public review and comment.

INTERAGENCY REVIEW

This action is not subject to Executive Order 12866; however, the Office of Management and Budget was briefed and provided an interagency review. The agency made minor clarifications to the draft action guide based on comments received from OMB during the review, and OMB cleared it for agency action on May 18, 2016.

IMPACTS

The drinking water PAG is not regulatory; however, it does influence regulations of FEMA and the Nuclear Regulatory Commission regarding emergency preparedness near nuclear power plants and for homeland security. Specific statements in the document remind the users that the guidance is flexible, and that incident-specific conditions may warrant using judgment when taking protective actions. This proposed drinking water PAG does not modify existing federal regulations or policies. The drinking water PAG relieves state, local and tribal emergency preparedness entities of the need to independently derive radiation levels at which to take protective actions. The drinking water PAG provides a common platform from which emergency managers may make consistent decisions to protect public health; it raises no environmental justice issues because it applies to all members of the public equally.

The PAG Manual is for temporary measures during radiological emergencies and is not intended to impact site cleanups occurring under other statutory authorities such as the EPA's Superfund program, the Nuclear Regulatory Commission's decommissioning program, or other federal or state cleanup programs.

This proposed addition of the drinking water PAG will make the revised PAG Manual more complete, covering impacts from all exposure pathways during a radiological emergency. Industry, state and professional organizations in the field of radiation protection requested this guidance in their comments on the 2013 PAG Manual revision; this draft guidance is responsive to their concerns.

STAKEHOLDER INVOLVEMENT

The primary users of the PAG Manual arc state, local and tribal radiological preparedness organizations. A key audience for this proposed drinking water PAG is the drinking water industry. This draft guidance considers suggestions in comments received in 2013, and provides practical application strategies for emergency managers in state, local and tribal government organizations.

Document development and reviews have been conducted in close cooperation with the following departments and agencies on the PAGs Subcommittee of the Federal Radiological Preparedness Coordinating Committee: the Department of Energy, the Department of Defense, the Department of Homeland Security, including the Federal Emergency Management Agency, the Nuclear Regulatory Commission, the Department of Health and Human Services, including the Centers for Disease Control and Prevention and the Food and Drug Administration, the Department of Agriculture and the Department of Labor.

STAFF CONTACT

Samuel Hernandez, from the Office of Ground Water and Drinking Water, is the point of contact for questions regarding drinking water; he may be reached at (202) 564-1735. The overall PAG Manual project lead is Sara DeCair, from the Office of Radiation and Indoor Air's Radiation Protection Division. She may be reached at (202) 343-9108.

RECOMMENDATION

Because of the agency's unique responsibility to provide PAGs and the need for consistent emergency preparedness across the United States in light of the Fukushima disaster, I recommend that you approve this action for publication.

Attachments

PG 9/8/16

The Honorable Barbara Boxer Ranking Member Committee on Environment and Public Works United States Senate Washington, D.C. 20510

Dear Senator Boxer:

Thank you for your July 25, 2016, letter to Administrator McCarthy, regarding the U.S. Environmental Protection Agency's proposed drinking water protective action guide. I appreciate your interest in our work on the PAG.

The proposed PAG levels are intended to be used only in the event of a radiological emergency, to inform decisions regarding the use of drinking water when radiation levels have already exceeded environmental standards. PAGs provide temporary measures to minimize unnecessary radiation exposure and reduce risks while enabling prioritization of limited resources during an emergency response.

The PAG does not supplant, nor does it affect the stringency or enforcement of any drinking water standard; the standards are designed to prevent adverse health effects from everyday exposure to low levels of radiation over a lifetime of exposure. Regulations governing drinking water systems remain in effect during a radiological emergency. Public water systems must comply with EPA's National Primary Drinking Water Regulations for Radionuclides. Any drinking water system adversely impacted during a radiological emergency, resulting in a violation of the standard, must take action to return to compliance as soon as practicable.

The agency appreciates the comments that you provided on our proposed PAG for drinking water and included your letter in the official docket for the proposal, identified by Docket ID EPA-HQ-OAR-2007-0268 at http://www.regulations.gov. The agency will carefully consider your comments and all comments received on the draft PAGs for Radionuclides in Drinking Water in determining how to best finalize the proposal.

Again, thank you for your letter. If you have further questions, please contact me or your staff may
contact Cathy Davis in the EPA's Office of Congressional and Intergovernmental Relations at
Davis.CatherineM@epa.gov or (202) 564-2703.

Sincerely,

Joel Beauvais Deputy Assistant Administrator

EPA Providing Guidance for Drinking Water After Radiological Emergency

What would happen if there was an emergency in the U.S. that caused radioactive material to contaminate drinking water supplies? What steps could your utilities and government take?

This was one of the challenges the government of Tokyo in Japan had to address following the Fukushima nuclear power plant incident. To assist local governments and utilities here at home to plan for such a situation, EPA has developed guidance for use only during nationally significant radiological emergencies, such as a disaster at a nuclear power plant or use of an improvised nuclear device.

This non-regulatory guidance, called a drinking water Protection Action Guide (PAG), will help decision-makers to ensure public health protection during an emergency. The drinking water PAG identifies doses of radiation that should be avoided during an emergency event. The PAG can be used to determine when the use of contaminated water supplies should be restricted and alternative drinking water should be provided – to keep doses to the public as low as possible during emergency situations only. The drinking water PAG levels were calculated based on a maximum one-year exposure and provide a level of health protection roughly equivalent to EPA's mandatory drinking water standards for radionuclides, which are based on 70 years of exposure.

It's important to know that EPA's new guidance is not for use during normal water system operations and the PAG does not in any way affect or change EPA's drinking water standards for radionuclides. The PAG does not represent acceptable routine exposures for drinking water. As with all drinking water regulations, water systems exceeding standards, regardless of the reason, are in violation. EPA expects that the responsible party for any drinking water system adversely impacted during a radiation incident will take action to return to compliance with Safe Drinking Water Act maximum contaminant levels as soon as practicable. The guidance also does not impact actions occurring under other statutory authorities such as the EPA's Superfund program, the Nuclear Regulatory Commission's decommissioning program, or other federal or state programs.

Thinking about these scenarios is certainly not pleasant and we hope that our PAG never has to be used. But EPA takes these actions to ensure that our country can be better prepared to protect public health if emergencies occur.

From: Microsoft Outlook

Location: EPA 1201 Constitution Ave NW, Washington DC 20004 WJCE 3233 Please call

202-564-5700 for escort Importance: Normal

Subject: Meeting Forward Notification: Drinking Water PAGs Call in 1-866-299-3188 passcode

(b) (6)

Start Date/Time: Thur 1/5/2017 8:00:00 PM End Date/Time: Thur 1/5/2017 9:00:00 PM

Your meeting was forwarded

Gude, Karen has forwarded your meeting request to additional recipients.

Meeting

Drinking Water PAGs Call in 1-866-299-3188 passcode (b) (6)

Meeting Time

Thursday, January 5, 2017 3:00 PM-4:00 PM.

Recipients

dianed@nirs.org

afettus@nrdc.org

dmoglen@foe.org

cthomasson@psr.org

ewurth@fwwatch.org

john.coequyt@sierraclub.org

dalal.aboulhosen@sierraclub.org

cindy@beyondnuclear.org

lthorp@cleanwater.org

pgallay@riverkeeper.org

dhirsch1@cruzio.com

Campbell, Ann

Grevatt, Peter

Mclain, Jennifer

Burneson, Eric

Christ, Lisa

Hernandez-Quinones, Samuel

Wadlington, Christina

Gonzalez, Yvonne V.

Greene, Ashley

Wehling, Carrie

Bangser, Paul

Edwards, Jonathan

Perrin, Alan

Gitlin, Bonnie

Veal, Lee

All times listed are in the following time zone: (UTC-05:00) Eastern Time (US & Canada)

Sent by Microsoft Exchange Server

From: Google Calendar

Location: EPA 1201 Constitution Ave NW, Washington DC 20004 WJCE 3233 Please call

202-564-5700 for escort Importance: Normal

Subject: Accepted: Drinking Water PAGs Call in 1-866-299-3188 passcode (b) (6) Thu Jan 5, 2017

8pm - 9pm (UTC) (Beauvais, Joel)

Start Date/Time: Thur 1/5/2017 8:00:00 PM End Date/Time: Thur 1/5/2017 9:00:00 PM

invite.ics

22222222

cindy@beyondnuclear.org has accepted this invitation.

Drinking Water PAGs Call in 1-866-299-3188 passcode :(b) (6)

When Thu Jan 5, 2017 8pm – 9pm GMT (no daylight saving)

Where EPA 1201 Constitution Ave NW, Washington DC 20004 WJCE 3233 Please call 202-564-

5700 for escort (map)

Calendar Beauvais, Joel

Who •Beauvais, Joel - organizer

cindy@beyondnuclear.org - creator

•cthomasson@psr.org

Hernandez-Quinones, Samuel

john.coequyt@sierraclub.org

•pgallay@riverkeeper.org

Wehling, Carrie

Mclain, Jennifer

•gfettus@nrdc.org

·ewurth@fwwatch.org

dianed@nirs.org

·Campbell, Ann

Ithorp@cleanwater.org

·Burneson, Eric

·Gonzalez, Yvonne V.

·Grevatt, Peter

·Gitlin, Bonnie

Christ, Lisa

·dalal.aboulhosen@sierraclub.org

·Wadlington, Christina

·Greene, Ashley

·Edwards, Jonathan

·Bangser, Paul

•dhirsch1@cruzio.com

•Perrin, Alan

•dmoglen@foe.org

•Veal, Lee - optional

Attachments Real ID Information.pdf

updated attendees WATER PAGs jan 5 2017 meeting with Office of Water.pdf

invitation from Google Calendar

You are receiving this courtesy email at the account beauvais.joel@epa.gov because you are an attendee of this event.

To stop receiving future updates for this event, decline this event. Alternatively you can sign up for a Google account at https://www.google.com/calendar/ and control your notification settings for your entire calendar.

Forwarding this invitation could allow any recipient to modify your RSVP response. Learn More.

From: Google Calendar

Location: EPA 1201 Constitution Ave NW, Washington DC 20004 WJCE 3233 Please call

202-564-5700 for escort Importance: Normal

Subject: Accepted: Drinking Water PAGs Call in 1-866-299-3188 passcode (b) (6) Thu Jan 5, 2017

3pm - 4pm (EST) (Beauvais, Joel)

Start Date/Time: Thur 1/5/2017 8:00:00 PM End Date/Time: Thur 1/5/2017 9:00:00 PM

invite.ics

.......

pgallay@riverkeeper.org has accepted this invitation.

Drinking Water PAGs Call in 1-866-299-3188 passcode (b) (6)

When Thu Jan 5, 2017 3pm – 4pm Eastern Time

Where EPA 1201 Constitution Ave NW, Washington DC 20004 WJCE 3233 Please call 202-564-

5700 for escort (map)

Calendar Beauvais, Joel

Who •Beauvais, Joel - organizer

pgallay@riverkeeper.org - creator

·cindy@beyondnuclear.org

dianed@nirs.org

•john.coequyt@sierraclub.org

cthomasson@psr.org

·dalal.aboulhosen@sierraclub.org

•gfettus@nrdc.org

•dmoglen@foe.org

ewurth@fwwatch.org

•ithorp@cleanwater.org

dhirsch1@cruzio.com

Attachments attendees WATER PAGs jan 5 2017 meeting with Office of Water.pdf
Real ID Information.pdf

Invitation from Google Calendar

You are receiving this courtesy email at the account beauvais.joel@epa.gov because you are an attendee of this event.

To stop receiving future updates for this event, decline this event. Alternatively you can sign up for a Google account at https://www.google.com/calendar/ and control your notification settings for your entire calendar.

Forwarding this invitation could allow any recipient to modify your RSVP response. Learn More.

To: OW-OWOW-EVERYONE[OWOWOWEVERYONE@epa.gov]

From: Bravo, Antonio

Sent: Thur 1/21/2016 12:55:19 PM
Subject: FYI Only: Water articles in the Press

common or

Daily News

Calls For Federal Role In California, Michigan Could Undercut EPA's Critics

January 20, 2016

Environmentalists are urging EPA to ramp up oversight of drinking water and natural gas drilling operations in response to the ongoing water crisis in Flint, MI, and a methane leak from a California drilling site, claiming the incidents show the need for strong agency oversight and help to undercut EPA's critics' calls to rein in the agency.

"There's a lot of language in American public life today that problems will somehow take care of themselves, but I think it's painfully obvious here that we're seeing the long-term impacts of that approach on innocent people," an environmentalist says of the Flint crisis and the ongoing need for an EPA role in response activities.

Meanwhile, a pro-regulation advocate says groups are also preparing class-action litigation over the massive ongoing leak of the potent greenhouse gas (GHG) methane from a gas storage facility in Southern California's Aliso Canyon, and citing it to support a push for EPA to strengthen its proposed rule governing methane releases from the oil and gas sector. "I don't know what citizen suits we'll see that could lead to direct regulatory changes. It may just be comments to the agency. But I think it's clear that we need a direct federal response. States don't have the resources."

The push for stronger EPA oversight in the natural gas and drinking water arenas in response to the two incidents follows months where the agency has come under fire for a host of regulations opponents see as burdensome such as its power plant GHG rules, as well as other perceived misconduct by the agency -- most prominently its Aug. 5 spill of 3 million gallons of contaminated wastewater from a Colorado mine during a botched cleanup.

On the presidential campaign trail, contenders for the GOP nomination have frequently promised cuts to the agency and vowed to rein in its authority. For example, current front-runner Donald Trump has called EPA "a disgrace," while Sen. Marco Rubio (R-FL) said in a recent lowa stump speech that "Every single

one of those crazy EPA rules . . . are gone on my first day in office," according to a Jan. 18 *Detroit News* article.

EPA's Authority

The pro-regulation advocate says the situations in Flint and Aliso Canyon show the candidates opposed to EPA are "detached from reality," but said such attitudes will complicate any attempt to expand EPA's power through legislation by polarizing attitudes about EPA and making it hard to move any such bills.

The source notes the Deepwater Horizon oil spill in the Gulf of Mexico failed to lead to any significant new EPA or other federal agency regulations for offshore oil drilling despite calls from advocates for such measures.

"After Deepwater Horizon, I was absolutely convinced that there would be a sweeping Congressional response. Instead, not only was there no new law sent to the president's desk, the mantra on Capitol Hill has been that there's too many regulations on oil drilling. So we're left with what agencies can do on their own. I think this still will expose vulnerabilities that onshore communities have, and get people thinking about what can be done," the source says.

EPA spokespeople declined to comment on any potential broader impacts from federal involvement in the Flint and Aliso Canyon incidents or the idea that they incidents could undercut EPA's critics, but said in separate Jan. 20 statements on the two that the agency will search for ways to help resolve each situation.

"All levels of government--federal, state and local must work together to find solutions for the residents of Flint and to ensure this never happens again. The agency looks forward to our continued dialogue," a spokesperson said on the Flint crisis.

On the Aliso Canyon leak, a spokesperson said EPA Region 9 officials are reviewing information submitted by the Southern California Gas Company and "will determine the appropriate next steps" when that process is complete.

Federal Oversight

Along with calls for stricter oversight by EPA, advocates in Flint are trying to force the agency to use its powers more broadly, after federal officials failed to act on a petition for federal action that residents submitted in early 2015. EPA formed a task force to offer technical assistance to drinking water officials and environmental regulators in Flint on Oct. 16, but the environmentalist says the agency should have acted much sooner.

"Our concern is that there was a non-response at the earlier time -- that there were serial failures on every level of government here. . . . to get a response, it takes a great deal of continued attention. It's what we saw in Flint, where citizens, particularly parents, did not take no for an answer," the environmentalist says.

In Flint, a change in the city's drinking water source caused a spike in lead levels, as well as possibly contributing to an outbreak of Legionnaire's Disease. Michigan Gov. Rick Snyder (R), who has been a critic of EPA, formally requested federal aid for dealing with the situation on Jan. 14, leading to Flint's crisis being declared a federal disaster.

Residents affected by the Flint disaster have already filed two class-action lawsuits and on Nov. 16 sent 60-day notice of a planned Safe Drinking Water Act citizen suit against the state and EPA that advocates hope will set a precedent for earlier and stronger action by the agency against deficient state programs.

And Flint Mayor Karen Weaver (D) said during a press conference at a Jan. 20 meeting of the U.S. Conference of Mayors in Washington, D.C., that "We do need more support, and more resources," while calling for expanded oversight of drinking water utilities in other areas. "I hope that other cities around the country take note about what has happened in Flint, start monitoring what is going on in your water," she said.

In addition to spurring a stronger response to citizen complaints, the environmentalist says groups would like EPA to compile and maintain its own records of drinking water infrastructure in need of improvement.

EPA already compiles a survey of infrastructure needs in the sector every four years, but that data is based on states' self-assessments and is used to guide distribution of the State Revolving Fund to support capital projects rather than to identify potential public health crises.

"We need to be looking at this as one of the large infrastructure needs in America. We need a much more aggressive, active and forward-leaning review in terms of where the exposures are in communities beyond Flint," the source says.

Methane Emissions

Meanwhile, in response to the Aliso leak, environmentalists have already sent comments to EPA asking it to tighten the agency's pending rule on methane emissions, which as proposed would update the new source performance standards issued for the sector four years ago in order to restrict methane.

In light of the Aliso Canyon leak the advocates are intensifying calls for EPA to strengthen the leak detection and repair requirements in the proposed rule. Advocates are pressing for stronger regulations because methane is a GHG roughly 80 times as potent as carbon dioxide in terms of its global warming impact over a 20-year period and approximately 23 times as potent over a 100-year period.

"The Obama administration's proposal for new infrastructure leaves the door open for a similar treatment of existing [sources], and I think the Aliso Canyon incident ought to jump-start it," says the advocate tracking the issue.

However, even a more stringent version of those rules would not directly affect Aliso and the more than 400 other such natural gas storage facilities nationwide because the agency appears to lack jurisdiction over those facilities, instead leaving their regulation to states. Changing that balance of power would require legislation, which the advocate says is unlikely given the current climate in the divided Congress.

Separate from the California and Michigan incidents, environmentalists are also urging EPA to step up its use of novel power to rescind some states' delegated authority to implement federal environmental laws.

For example, advocates sent a Jan. 11 petition to the agency arguing that it must withdraw Texas' delegated authority to issue certain federal Clean Water Act and Clean Air Act permits, because recent changes to state laws and a lack of adequate state environmental agency funding mean that Texas is in "ongoing noncompliance" with federal permitting requirements. -- David LaRoss (dlaross@iwpnews.com)

Daily News

EPA Urges High Court To Reject Review Of Upheld Chesapeake Bay TMDL

January 20, 2016

EPA is calling on the Supreme Court to reject agriculture and home building industry groups' petition for review of its landmark multi-state total maximum daily load (TMDL) cleanup plan for the Chesapeake Bay, saying an appellate court was correct in its unanimous decision that the TMDL did not exceed EPA's Clean Water Act (CWA) authority.

Arguing on EPA's behalf, the Department of Justice (DOJ) says in its <u>Jan. 19</u> brief to the high court that the agency properly interpreted the CWA to allow it to set separate limits for point and nonpoint pollution sources instead of a single "total" amount of pollution the bay can accommodate, and that its work with state governments on a schedule for implementing the plan did not violate the water law's "cooperative federalist" underpinnings.

"The court of appeals correctly held that Congress authorized EPA to elucidate the ambiguous concept of 'total maximum daily load' through regulation. . . . Congress directed EPA to cooperate with the States to improve water quality through the use of TMDLs, and the Bay TMDL is the product of such cooperation. The decision . . . also does not conflict with any decision of this Court or any other court of appeals. Further review is not warranted," DOJ says.

DOJ is asking the justices to let stand a July 6 ruling from the U.S. Court of Appeals for the 3rd Circuit in *American Farm Bureau Federation (AFBF)*, et al. v. EPA, et al. There, a unanimous three-judge panel said EPA's landmark multistate water cleanup plan is lawful because the agency reasonably interpreted the CWA to allow separate limits on point and nonpoint sources.

AFBF and its allies, including industry groups, state and local governments and members of Congress, have argued in briefs to the high court supporting certiorari that the CWA is not ambiguous and under its plain language nonpoint source regulations should be left to states with EPA is limited to setting a single "total" limit. If a court backed that claim, it would overturn not only the Chesapeake TMDL but a host of prior cleanup plans that also incorporated separate point and nonpoint allocations.

Whether the law is ambiguous is crucial because of the 1984 Supreme Court decision in *Chevron, Inc., v. Natural Resources Defense Council*, which says judges must defer to an agency's reading of ambiguous statutory text, as long as it is "reasonable."

DOJ says in its brief that rather than disregarding statutory text as the challengers claim, EPA based its decision on language in the CWA that "indicates that a TMDL is subject to 'calculation.' EPA has simply defined 'total maximum daily load' to include the components of that calculation, expressing both an overall number ('the sum') and its constituent parts."

Land-Use Decisions

The new brief also seeks to counter the challengers' claims that EPA is dictating states' land-use decisions by restricting nutrient and sediment discharges from

certain areas to a degree that effectively forbids agriculture and home building activity there.

"[T]he allocations in the TMDL do not 'specify the load of pollutants that may be received from particular parcels of land.' Rather, those allocations describe how much pollution particular water segments can bear from a group of sources, some of which are classified generally by sector. Within broad categories in the TMDL such as 'agriculture' and 'forestry,' each State is free to determine how its sources will achieve the maximum permissible load," DOJ says.

DOJ also touts states' freedom to craft their own pollution control plans in order to counter challengers' claims that the TMDL dictates implementation terms. DOJ says that instead of forcing policies on states the TMDL merely formalizes commitments they voluntarily made.

"The Bay TMDL was not arrived at under a threat to the States . . . Rather, it reflects choices that the States themselves made. Nor does the Bay TMDL create an unchangeable standard. Although EPA approval would be required for formal amendment of the TMDL, such approval could be sought if necessary," the brief says.

It adds that "even if such flexibility did not exist, the Bay watershed States' deep involvement in creating the TMDL would defeat any argument that their interests were insufficiently protected."

Finally, DOJ argues that even if the high court decides it should review EPA's TMDL powers, the Chesapeake Bay is "a poor vehicle" for that question because the CWA directly requires federal involvement in a Chesapeake cleanup plan, complicating the issue.

"Although those generally applicable provisions afford sufficient legal authorization for EPA's establishment of the Bay TMDL, the CWA also contains provisions that specifically address the Chesapeake Bay," the brief says. -- David LaRoss (dlaross@iwpnews.com)

Daily News

Sierra Club Cites CWA Rule's 'Nation-Wide' Scope In Bid For Legal Standing

January 20, 2016

The Sierra Club claims that EPA and the Army Corps of Engineers' joint Clean Water Act (CWA) jurisdiction rule has "nation-wide" scope and that many U.S. waters could be adversely impacted if a federal district court scraps the policy, in a bid to prove that the group's members have legal standing to intervene in a suit over the rule.

Litigation over the rulemaking is proceeding as lawmakers' attempts to undo the policy hit hurdles, most recently with <u>President Obama's Jan. 19 veto</u> of a Congressional Review Act (CRA) resolution to scrap the rule.

Lawsuits challenging the rule have been filed in myriad federal district and appellate courts because the CWA is unclear on the correct venue for such suits. The U.S. Court of Appeals for the 6th Circuit has consolidated appeals court suits over the rule and is weighing whether it has authority to hear those challenges, or whether district courts should first hear the cases. The 6th Circuit has stayed implementation of the rule nation-wide until it decides.

But at least one district court -- the U.S. District Court for the District of North Dakota's Southeastern Division -- is already proceeding with briefing in *State of North Dakota*, et al., v. EPA, et al. In that case, 14 states led by North Dakota claim the rule exceeds EPA's CWA authority and violates a host of other federal laws.

Sierra Club however argues that the rule is lawful and should be even broader-reaching, and recently moved to intervene in the states' litigation. The states countered that environmentalists lack legal standing to win a role in the litigation because they cannot show more than "speculative" harm from the agencies' regulation.

In <u>a Jan. 19 reply brief</u>, Sierra Club says that the rule is nation-wide in scope and that the district court has not opted to limit its eventual ruling to the 14 states pursuing the case. As a result, a loss for EPA in the case could potentially harm the group's members regardless of geographic location, the brief says, by harming water quality across the United States.

"The Rule is a nation-wide rule in scope and effect and the States challenge the Rule on its face, in particular the alleged 'expansive' reach of the Rule," Sierra Club argues. "Club members live or recreate near particular water bodies that are at risk of losing [CWA] protections should the States receive the relief they request."

Sierra Club cites declarations from several members with interests in travel and recreation in broad geographic regions who fear harm from a decision scrapping

the rule, such as one member concerned with protections for small headwater tributaries and streams in Minnesota watersheds. "Many of those tributaries and wetlands are automatically protected by the CWA under the Rule, something the States seek to overturn," the brief says.

In another example, the brief says that one member describes "travel and recreation" on 75 tributaries throughout the Midwest, citing a 1972 Supreme Court ruling in *Sierra Club v. Morton*, which held that Sierra Club's interest in protecting waters used by its members is "more than mere interest in the problem."

Meanwhile, one environmentalist says that if the 6th Circuit decides that it lacks power to hear the various CWA rule suits, EPA could still ask individual district court judges to transfer their suits to one court in order to simplify the slew of pending district court suits. "I wouldn't be surprised if the government tried to bring them into a single proceeding," the source says, which EPA could opt to do with many of the suits.

Resolution Veto

Meanwhile, Obama Jan. 19 formally vetoed S.J. Res. 22, the CRA resolution that would have scrapped the jurisdiction rule. The president's advisors previously threatened a veto when the House and Senate were debating the measure, which was approved by the Senate on Nov. 4 and by the lower chamber on Jan. 13.

In his formal veto message, Obama defended the EPA-Corps rule as helping to protect the nation's waters. "The rule, which is a product of extensive public involvement and years of work, is critical to our efforts to protect the Nation's waters and keep them clean; is responsive to calls for rulemaking from the Congress, industry, and community stakeholders; and is consistent with decisions of the United States Supreme Court," he wrote.

"We must protect the waters that are vital for the health of our communities and the success of our businesses, agriculture, and energy development. As I have noted before, too many of our waters have been left vulnerable. Pollution from upstream sources ends up in the rivers, lakes, reservoirs, and coastal waters near which most Americans live and on which they depend for their drinking water, recreation, and economic development. Clarifying the scope of the Clean Water Act helps to protect these resources and safeguard public health," the message says.

The president added, "Because this resolution seeks to block the progress

represented by this rule and deny businesses and communities the regulatory certainty and clarity needed to invest in projects that rely on clean water, I cannot support it. I am therefore vetoing this resolution."

In response, the League of Conservation Voters' President Gene Karpinski welcomed the veto and said, "It's outrageous that he had to take this step at all given that the Clean Water Rule enjoys overwhelming public support because it restores critical safeguards for the water our children and grandchildren drink, swim and play in."

But the decision drew criticism from lawmakers opposed to the rule, also known as the Waters of the United States (WOTUS) policy. For example, House Transportation and Infrastructure Committee Chairman Bill Shuster (R-PA) said, "Congress clearly told the President what Pennsylvanians and the American people know: this WOTUS rule is nothing more than a costly federal power grab. It's truly a shame that he has not listened."

In a separate statement, the National Corn Growers Association's President Chip Bowling said, "This administration continues to ignore the will of Congress and the significant impact this will have on our country's farmers at a time when they cannot afford more regulatory confusion and red tape." -- Bridget DiCosmo (bdicosmo@iwpnews.com)

Daily News

EPA Seeks Advice On New Funding For Water Infrastructure Predevelopment

January 20, 2016

EPA is asking its financial advisors to help the agency identify new sources of financing for water infrastructure predevelopment activities, such as environmental and other analyses, as well as intrastructure repair projects, with the agency asking the advisors to compare the use of traditional state revolving fund (SRF) money with other resources.

Jim Gebhardt, director of EPA's Water Infrastructure and Resiliency Financing Center (WIRFC), outlined the <u>new request</u> at the Jan. 12-13 meeting of the agency's Environmental Financial Advisory Board (EFAB). The center is part of President Obama's "Build America" initiative, a government-wide effort to increase infrastructure investment and promote economic growth.

Environmentalists and some utilities have raised concerns that WIRFC's focus on innovative financing options will result in cuts to the SRF program. And some EFAB members reiterated those concerns when discussing the new charges to the panel, although EPA officials have <u>sought to assure</u> critics that the agency is committed to existing public funding mechanisms. And EPA's *de facto* water chief <u>pledged to EFAB</u> that the agency will do a better job of explaining WIRFC's purpose and benefits.

As part of the <u>launch of WIRFC</u> in January 2015, President Obama signed a memorandum for executive heads of departments urging the expansion of federal support for "predevelopment activities" for infrastructure projects. These are upfront costs for activities such as project and system planning, economic impact analyses, preliminary engineering assessments, and environmental review that precede actual construction. They are a major challenge for innovative infrastructure projects, the memo says, noting that while they account for a small percentage of total costs, these activities have considerable influence on which projects will move forward, where and how they will be built, who will fund them, and who will benefit from them.

"Yet, in light of factors like fiscal constraints, the extent of overall needs, and risk aversion, State, local, and tribal governments tend to focus scarce resources on constructing and developing conventional projects and addressing their most critical infrastructure needs, thereby underinvesting in predevelopment," the memorandum says.

At the EFAB meeting, Gebhardt said he sees potential in existing SRFs for predevelopment funding. "The whole question was around this thorny issue of identifying seed capital for infrastructure," he said. "It occurred to me that I always think in terms of the SRFs, as a large reservoir of resources. Given the strength that SRF balance sheets have -- both large states and small -- there are some opportunities to think more creatively about how to engage those dollars to drive projects."

Predevelopment Funding

The charge to EFAB asks the advisors to "identify, characterize and assess existing predevelopment funding programs, including any initiatives undertaken by states, including non-SRF resources. Any information that can be gathered regarding the rate at which such investments yield projects would be instructive."

The charge continues, "The importance of gathering any available data would be to inform how existing predevelopment funding models are performing, shed light on best practices in this area and inform, (a) the adoption of existing models by

other states or [non-governmental organizations] and (b) the creation of new beneficial predevelopment funding mechanisms that could be widely adopted."

In addition, EPA also asked that EFAB assess the "relative value" of funding the same projects with existing SRF dollars by using "a portion of idle SRF cash that would otherwise be invested in short-term U.S. Treasuries."

EFAB member Joanne Throwe, director of the University of Maryland's Environmental Finance Center, expounded on the issue facing the advisors, saying, "Is there a benefit and what is the benefit of doing the predevelopment to make good decisions versus to get the money? Is there some way to look at that question and help people understand why it's important to spend a little more of their precious money and time doing a better job of this?"

On infrastructure repair projects, WIRFC is asking EFAB to identify existing and prospective new funding mechanisms for the repair and replacement of failing wastewater infrastructure. This effort should include assessment of "minimum credit standards" that could "allow SRFs to expand lending activities for such projects," WIRFC says.

"The biggest barriers to repair, replacement, or upgrade or decentralized systems is the limited access to funding and the challenge of affordability," the charge states. "Limited funding access is, in part, related to the high costs of repair and replacement relative to household income that raises credit concerns on the part of prospective lenders. Affordability also presents challenges to government policymakers to make available funds that do not require repayment."

EPA clean water SRF officer Stephanie Von Feck, who Gebhardt asked for feedback prior to the meeting, suggested that EFAB could look into partnering with local county health departments, because they often have the charge of permitting and enforcing water infrastructure repair projects. -- Amanda Palleschi (apalleschi@iwpnews.com)

Daily News

OMB Agrees To Meet With Environmentalists On Draft Radiological Guide

January 20, 2016

The White House Office of Management & Budget (OMB) has agreed to hear

concerns from environmental groups over draft drinking water amendments to EPA's protective action guidelines for radiological emergencies, which are currently under review by OMB but have yet to be formally proposed.

Several environmental groups are scheduled to meet with OMB Jan. 27 over proposed drinking water guidelines for radiological emergencies, which EPA sent to OMB Dec. 5 for interagency review. Also invited to the meeting are representatives from EPA, Department of Energy, Nuclear Regulatory Commission and the Department of Homeland Security (DHS), an environmentalist source says.

The drinking water guidelines would update EPA's Protective Action Guide (PAG) for Radiological Incidents. Notice of the document being sent to OMB prompted a host of environmental groups to seek a meeting with OMB.

While the environmentalist says OMB has declined to specify to the groups what is in the proposal, the groups fear EPA is proposing to permit a marked increase in the allowable level of radioactive contaminants in drinking water under the guidance.

EPA in 2013 issued a draft update to an earlier radiological PAG, and specifically sought comment on whether it should develop a short-term drinking water PAG. The controversial 2013 PAG manual, which is in use as interim guidance, makes several changes from the 1992 version, including applying the manual to incidents other than just nuclear power plant accidents and incorporating DHS cleanup guidance for improvised nuclear devices. But EPA at the time deferred including drinking water levels.

"EPA published the PAGs without changing the water limits, but indicated it was interested at some time in the future in considering breaching the Safe Drinking Water Act [(SDWA)] limits for PAG purposes," the environmental and nuclear watchdog groups say in their Dec. 22 letter asking OMB Office of Information and Regulatory Affairs Administrator Howard Shelanski for a meeting.

"We presume that that is what EPA has now transmitted to OMB for approval. This could result in the public being forced to consume water with concentrations of radionuclides hundreds or even thousands of times higher than considered acceptable under the Safe Drinking Water Act," they add.

Such a proposal would spark controversy, they say, noting that scores of groups opposed such suggestions in the past.

The groups who requested the meeting are: Natural Resources Defense Council,

Physicians for Social Responsibility, Friends of the Earth, Food and Water Watch, Clean Water Action, Public Citizen, Beyond Nuclear, Public Employees for Environmental Responsibility, Nuclear Information and Resource Service, Environment America, Riverkeeper and Committee to Bridge the Gap.

Environmentalists and anti-nuclear advocates have long opposed the PAGs, raising concerns that the agency's endorsement of standards thousands of times weaker than EPA's cleanup and drinking water limits could undermine the agency's strict Superfund standards.

But EPA has refuted charges that the PAGs will change Superfund or other agency cleanup levels, saying in a 2013 *Federal Register* notice seeking comment on the draft update that "PAGs are not intended to define 'safe' or 'unsafe' levels of exposure or contamination."

The agency continued, "This guidance does not address or impact site cleanups occurring under other statutory authorities such as" EPA's Superfund program. And the PAG manual is not a legally binding regulation or standard and does not supersede any environmental laws, EPA has said.

Daily News

Advocates Back NTP Fluoride Review, Citing Risk To Developing Brain

January 20, 2016

Advocacy groups are backing the National Toxicology Program's (NTP) plan to evaluate fluoride's possible neurodevelopmental risks, arguing the review should be a high priority and consider all sources of exposure to the substance, though consumer product and dental industry officials contend current levels of exposure pose no risk.

NTP, part of the National Institute of Environmental Health Sciences, took comment through Jan. 8 on a proposal to review fluoride's potential neurodevelopmental risks after studies in other countries have found adverse effects to IQ, though the studies were of areas with higher levels of exposure than commonly found in the United States.

In <u>recent comments to NTP</u>, groups including the Fluoride Action Network (FAN) and Parents of Fluoride-Poisoned Children argue fluoride exposures result from multiple sources, ranging from toothpaste to pharmaceuticals, and that numerous

studies show the substance poses health risks including to children's developing brains.

In <u>Jan. 8 comments</u>, the Parents of Fluoride-Poisoned Children say NTP "should place the review of developmental neurotoxicity as a high priority."

And in <u>Nov. 30 comments</u>, FAN says "a large body of published scientific research ... shows that fluoride can damage the developing brain at worryingly modest levels of exposure." The group also notes that the National Academy of Sciences has identified fluoride as an endocrine disruptor.

During a Dec. 2 meeting of NTP's Board of Scientific Counselors (BOSC), the advisors backed the NTP Office of Health Assessment and Translation's plans for a literature review and experimental animal studies to determine the level at which fluoride may pose a risk of neurodevelopmental effects, but questioned the level of resources the project justifies.

Some advisors said the NTP review would face complicating factors, such as estimating exposures given the prevalence of fluoride in consumer products, flaws in published epidemiology studies and difficulties extrapolating risks to humans from animal studies. The panel considered the review a "high to medium" priority.

NTP's plan to review fluoride's potential for developmental neurobehavioral effects comes as EPA is reviewing its maximum contaminant level (MCL) for the substance, currently set at 4 milligrams per liter (mg/L). The Safe Drinking Water Act requires EPA to review MCLs every six years to ensure safe levels in drinking water, and says the review should consider "occurrence, health effects and other factors."

The MCL regulates drinking water systems with high levels of naturally occurring fluoride but does not apply to local decisions to add fluoride to drinking water to prevent dental cavities. The U.S. Public Health Service currently recommends an optimal fluoridation level of 0.7 mg/L.

Environmentalists' Concerns

Environmentalists have long argued fluoride increases risks of bone damage, and studies in other countries have also flagged the mineral as a potential neurotoxicant, linking fluoride in drinking water to lowered IQ in children. NTP is also considering future literature reviews of other effects possibly linked to fluoride exposure including cancer and endocrine disruption, but those efforts have not progressed as far as the evaluation of neurdevelopmental risks, NTP staff told the BOSC last month.

In comments, FAN calls NTP's plan to review a potential neurodevelopmental risk for fluoride "warranted and timely," noting that dozens of studies have found an association between fluoride exposure and reduced IQ.

Specifically, FAN says 23 studies have found reductions in IQ among children consuming water with fluoride levels at or below EPA's current MCL of 4 ppm. The group also says dozens of animal studies suggest fluoride exposure can impair learning and or memory.

In <u>additional comments</u>, filed Jan. 8, FAN says humans are more susceptible to fluoride exposure than rodents used in animal testing, which require greater amounts of the substance to achieve a similar internal dose.

Officials with the dental and consumer products industries have argued in public comments to NTP that current levels of exposure to fluoride do not pose a neurodevelopmental risk, and that the review is of questionable utility.

A representative of the <u>Consumer Healthcare Products Association</u> told the Dec. 2 BOSC meeting the review could have unintended consequences, such as leading to hazard warnings that fail to account for dose or level of exposure.

In <u>Nov. 29 comments</u>, the American Association of Public Health Dentistry (AAPHD) says NTP should commit resources to a fluoride review at levels proportional to knowledge gaps surrounding developmental neurotoxicity at current levels of exposure in the United States.

The dental industry association argues that the best available science does not establish a causal relationship between fluoride exposure from water and dental products, and lower IQ or behavioral or central nervous system disorders.

"The public health benefits of fluoride are well recognized," AAPHD says, adding that "community water fluoridation is strongly supported by many organizations, including the Centers for Disease Control and Prevention, the National Institute of Dental and Craniofacial Research (NIDCR) and the Surgeon General." -- Dave Reynolds (dreynolds@iwpnews.com)

News Briefs

D.C. Circuit Sets Argument In CWA Mine Veto Suit

January 20, 2016

The U.S. Court of Appeals for the District of Columbia Circuit has scheduled oral argument for April 11 in a mining company's suit contesting EPA's decision to retroactively "veto" disposal sites underlying an Army Corps of Engineers-approved Clean Water Act (CWA) section 404 permit for a West Virginia mountaintop mine.

The court announced the date in a Jan. 20 order in <u>Mingo Logan Coal Company</u> v. EPA, one of several cases that the company has pending against EPA's veto.

The D.C. Circuit arguments will center on Mingo's bid to overturn a September 2014 lower court decision where U.S. District Court for the District of Columbia Judge Amy Berman Jackson said EPA was within its CWA section 404(c) authority to block disposal sites vital to operating the company's West Virginia mine.

Under section 404(c), EPA can block disposal sites when a permit would have "unacceptable adverse effect on water supply, aquatic life, wildlife or recreational areas," and a previous D.C. Circuit decision in the ongoing Mingo litigation said the agency can invoke that power years after a permit is issued.

Mingo is arguing that the agency must show "substantial new information" in order to reverse an earlier decision not to exercise its veto power, that it can only consider environmental harms within the disposal site, and that it must consider other factors including costs in addition to damage to the environment.

But the Justice Department counters that EPA's discretion under section 404(c) is broad and unrestricted in both when and where the "adverse effect" can occur in order to justify a permit veto.

Seante Democrats Fight Sportsmen's Bill Over CWA Waiver

January 20, 2016

Several Democrats on the Senate Environment and Public Works Committee (EPW) are vowing to oppose a wide-ranging bill supporting hunting and fishing after the panel added a provision that would exempt most pesticide spraying activities from Clean Water Act (CWA) permit requirements, arguing the language would pose risks to drinking water.

"What we're doing is opening a huge hole in protection that could very well be abused and cause a significant public health issue," Sen. Ben Cardin (D-MD) told

a Jan. 20 committee markup of S. 659, known as the sportsmen's bill.

Sen. Barbara Boxer (D-CA) added that the amendment would limit EPA oversight of pesticide applications to putting "a label on a pesticide so we know what is poisoning our children. That is not going to happen," she added. "A lot of us would stand on the [Senate] floor, that would otherwise support the sportsmen's bill and say, 'No."

Invoking recent controversy caused by lead contamination of drinking water in Flint, MI, Boxer also sought, unsuccessfully, to narrow <u>another provision</u> in the bill so it would not preclude EPA from regulating lead in fishing tackle under the Toxic Substances Control Act (TSCA).

"I am shocked today that following the scandal in Flint, Michigan, where children have been poisoned by lead in the drinking water, a Republican majority on the EPW Committee voted to permanently exempt lead and other contaminants in fishing tackle from any regulation under" TSCA, Boxer said in a statement.

The committee approved S. 659 on a 12-8 vote. In addition to the pesticide spraying provision, the bill would also permanently exclude fishing tackle from EPA regulation under TSCA. Boxer and Cardin also reiterated their past calls for a study of risks from exposure to lead.

The CWA amendment mirrors a bill EPW approved last summer, <u>S. 1500</u>, that would eliminate National Pollutant Discharge Elimination System (NPDES) requirements for pesticide applications, as long as they are already approved under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA).

The language would effectively reverse a 2009 ruling from the U.S. Court of Appeals for the 6th Circuit in *National Cotton Council of America, et al. v. EPA*, where a panel of judges held that certain types of pesticides discharged "into, over or near" waters of the U.S. require a NPDES permit -- vacating an EPA rule that said permits are not required.

During the markup, Sens. Mike Crapo (R-ID) and Deb Fischer (R-NE), argued that EPA already regulates pesticide application under FIFRA and that the language amending S. 659 would merely restore EPA's original position, prior to the lawsuit, that NPDES permits are unnecessary for FIFRA compliant pesticide applications.

Crapo said pesticide applications that control invasive species promote healthy forests and waterways, and that current regulatory structure is duplicative and prevents needed pesticide applications, causing problems for farmers and hunters.

Fischer said, "NPDES permits should not be required for application of pesticides that are already approved by EPA and authorized for sale and use under FIFRA."

Sen. Tom Carper (D-DE) also sponsored the bipartisan amendment.

Antonio Bravo

Office of Wetlands, Oceans & Watersheds

202-566-1976

To: OW-OWOW-EVERYONE[OWOWOWEVERYONE@epa.gov]

From: Bravo, Antonio

Sent: Fri 1/8/2016 12:34:22 PM

Subject: FYI Only: Water articles in the Press

contractor of

Daily News

6th Circuit Blocks Citizen Suit Over State's 'Transfer' Of CWA Permit Power

Posted: January 07, 2016

Appellate judges have blocked Ohio citizens' bid to reverse the state's transfer of some concentrated animal feeding operation (CAFO) Clean Water Act (CWA) permitting powers from environmental to agricultural regulators, issuing a novel ruling that says regardless of whether the state acted improperly citizens have no right to sue over the transfer.

In a <u>Jan. 6 ruling</u>, a unanimous three-judge panel of the U.S. Court of Appeals for the 6th Circuit backed arguments by EPA and the Buckeye State that only the agency can review whether the proper state authority is handling CWA permit duties. The panel also held that EPA's oversight power in that arena is discretionary, meaning advocates cannot sue to force the agency to review a state program.

"We must respect the limited nature of citizen suits under the Clean Water Act. If Congress intended the citizen suit to be all encompassing, it would have permitted suit for all violations of the Clean Water Act, rather than specifying limited circumstances. . . . [A] regulator's failure to follow procedural regulations is not grounds for a citizen suit," says the decision, written by Chief Circuit Judge R. Guy Cole Jr., for Circuit Judge Bernice B. Donald and Senior Circuit Judge Martha Craig Daughtrey.

Cole continues that even though the CWA explicitly requires EPA to withdraw a state's delegated National Pollution Discharge Elimination System (NPDES) permit authority if it finds implementation to be inadequate after holding a hearing and providing notice to the state, "the Clean Water Act does not require the U.S. EPA to conduct a hearing if a state fails to administer properly a state-NPDES program."

Plaintiffs in the case, Larry Askins and Vickie Askins v. Ohio Department of Agriculture (ODA), et al., were asking the court to overturn a two-step plan Ohio began with a 2001 law that would ultimately transfer CAFO permitting from the Ohio EPA to ODA following formal approval by EPA -- which the state applied for in 2006 and the agency still has yet to grant.

The plaintiffs claimed that the permitting transfer has created loopholes that allow CAFOs to ship manure off-site to farms that use it for fertilizer, creating nutrient pollution that makes its way into Lake Erie, where it can cause algal blooms like the one that resulted in a 2014 drinking water emergency in Toledo, OH.

Permitting Powers

The Askinses argued that ODA effectively assumed NPDES permit powers in 2001 despite lacking EPA approval. But a federal district court in Ohio dismissed the case in 2015 on the grounds that although the CWA requires states to seek agency review when they shift CWA permit powers, no provision of the law allows citizen suits to enforce the mandate.

Both courts rejected arguments by the citizens that the CWA requirement for a state to notify EPA when it transfers permit authority is a "condition" of a permit, and therefore can trigger a citizen suit. "[T]he Askinses' argument fails to distinguish between the Clean Water Act's separate requirements for NPDES programs versus NPDES permits," because only permits are subject to the citizen suit provisions cited by the Askinses, the 6th Circuit decision says.

The 6th Circuit also rejects claims that the CWA should be read to allow citizen suits against regulators over procedural violations -- citing a host of prior cases dealing with other environmental statutes whose citizen suit provisions are phrased similarly to the water law, such as the Clean Air Act and Endangered Species Act (ESA).

"Other cases construing nearly identical environmental citizen-suit provisions have reached a similar conclusion--that a regulator's failure to follow procedural regulations is not grounds for a citizen suit," the ruling says. Cole also cites the landmark 1997 Supreme Court decision *Bennett v. Spear*, where the high court held that allowing ESA citizen suits against agencies for any procedural violation would "render superfluous" provisions restricting suits against federal agencies to situations where they allegedly failed to perform a non-discretionary duty.

Moreover, Cole says, citizen suits include more stringent penalties for defendants than EPA could impose through review of a state NPDES program. "Congress did not intend to give citizens greater and faster enforcement authority against a state than the U.S. EPA," he says in the decision. -- David LaRoss (dlaross@iwpnews.com)

Daily News

New Jersey, Chemical Industry Critique ATSDR's Draft PFC Risk Analyses

Posted: January 07, 2016

Scientists working for New Jersey and chemical companies are questioning core elements of a federal toxicology profile for 13 perfluoroalkyl chemicals (PFCs), arguing the Agency for Toxic Substances and Disease Registry (ATSDR) has ignored EPA risk assessment policies in calculating two risk estimates but differing on which policies have not been followed.

Scientists with New Jersey's departments of Environmental Protection (NJDEP) and Health (NJDOH) call ATSDR's document "inadequate in many instances. The document has not been appropriately updated throughout," the state agencies write in their joint Nov. 25 comments. New Jersey also considers the minimum risk level (MRL) that ATSDR calculated for one of the more researched PFCs, perfluorooctanoic acid (PFOA), "not scientifically supportable. This study does not appear to be an appropriate basis for MRL development, and the Benchmark Dose [BMD] modeling used to derive the MRL is not valid."

And New Jersey harshly critiques the monkey study ATSDR used as the basis for the PFOA MRL calculation. "The study itself is problematic for use in risk assessment for reasons including possible mortality at the lowest dose."

New Jersey's comments, like the rest of the public comments that ATSDR received regarding the draft PFC ToxProfile, were due Dec. 1 but were not released until Dec. 29 at *Inside EPA*'s request.

New Jersey also questions ATSDR's mathematical approach, using BMD modeling with the study data, which New Jersey suggests does not follow EPA's BMD modeling technical guidance because ATSDR has "an insufficient number of data points for BMD modeling," relying on a single study. EPA's 2002 guidance on using BMD modeling "would instead recommend use of a" no observed adverse effect level or lowest adverse effect level derivation when only one dose group is available, the state says.

The state does not comment upon the study that ATSDR uses as the basis for its MRL for another more-researched PFC, perfluorooctane sulfonate (PFOS).

Industry comments criticize ATSDR's MRL for both PFOA and PFOS, questioning the federal agency's decision to base the MRLs on liver weight change effects, which they argue does not comport with EPA risk assessment guidance.

For example, 3M writes in its <u>Nov. 30 comments</u> that "The selection of these two MRLs was based on the increased liver weight observed in non-human primate toxicology studies, which, based on guidance, research and the comments provided herein, is scientifically unjustified. The use of increased liver weight alone by the ATSDR is inconsistent with current USEPA guidelines and other published peer-reviewed expert conclusions."

Risk Estimates

3M goes on to argue that the liver weight effects ATSDR uses to calculate the risk estimates are reversible and argues that "a significant body of mechanistic experimental data that relates to the liver response to exposure to PFOA or PFOS strongly suggests that liver weight as an endpoint for the human-health risk assessment is inappropriate and needlessly conservative."

An environmentalist in a critique of ATSDR's draft when it was released last fall bemoaned its reliance on liver weight change, which is often a crude assessment of an agent's toxicity. Newer studies assess PFCs' reproductive developmental toxicity, as well as its immunotoxicity, the source said, pointing specifically to a recent review article by Philippe Grandjean and Richard Clapp, public health professors at Harvard University and University of Massachusetts Lowell, respectively. The source said he hopes that EPA's water office, in finalizing its ongoing assessments of PFOA and PFOS, chooses not to follow ATSDR's approach.

ATSDR, by congressional mandate, produces ToxProfiles for hazardous substances found at Superfund sites, based on frequency of occurrence, toxicity and potential for human exposure. The agency also produces profiles for substances related to sites connected with the Defense and Energy departments.

The draft ToxProfile for 13 PFCs, released for public comment in September, includes non-cancer risk estimates for PFOA and PFOS that are similar to EPA's Integrated Risk Information System (IRIS) risk estimates. But the new draft document does not contain risk calculations for the other 11 PFCs because ATSDR determined that it had insufficient information to calculate quantitative risk estimates for them -- a finding that industry supports but the New Jersey scientists say is unfounded.

For PFOA, ATSDR calculates an MRL for intermediate exposure duration of 2x10^-5 milligrams per kilogram bodyweight per day (mg/kg/day), based on a 2002 study showing liver weight changes in lab monkeys. For PFOS, ATSDR proposes an MRL of 3x10^-5 mg/kg/day, based on liver weight changes in a

separate 2002 toxicology study of lab monkeys.

ATSDR calculates MRLs for acute, intermediate and chronic exposure durations by ingestion or inhalation, while EPA's IRIS program generally focuses on chronic risk estimates by either route of exposure.

In the case of PFOA and PFOS, ATSDR provides only intermediate-duration oral MRLs, defined in the document as exposure durations of 15-364 days. Because of the difference in the duration of the risk estimates, the numbers cannot be compared directly to the chronic IRIS reference doses that EPA proposed for PFOA and PFOS in its latest draft assessment, which underwent critical peer review in August of 2014.

EPA's Office of Water in 2009 issued drinking water health advisory levels of 0.4 micrograms per liter of water (ug/L) for PFOA and 0.2 ug/L for PFOS, but these numbers are not mandatory. Based on standard default assumptions EPA uses for its drinking water standards and health advisories, the PFOA reference dose (RfD), for example, would appear to translate into a chronic drinking water health advisory level of 0.1 ug/L, a stricter level than the 2009 health advisory level.

PFOA RfD

EPA in 2014 proposed a PFOA RfD, the maximum amount of a substance EPA estimates can be ingested daily over a lifetime without adverse non-cancer health effects, of 2x10^-5 mg/kg/day due to changes in the liver linked to developmental effects and changes in the kidney. In the PFOS assessment, EPA is proposing an RfD of 3x10^-5 mg/kg/day due to developmental toxicity and liver effects.

EPA, meanwhile, announced last month that it plans to conduct an IRIS assessment of perfluoroalkyl compounds, though its agenda indicates that managers are still discussing which of the compounds will be included in the IRIS assessment. The assessment is in the first group of chemicals that EPA has prioritized for starting to assess in the next few years.

Commenting on ATSDR's decision to limit risk estimates in the ToxProfile to PFOA and PFOS, the New Jersey scientists say "ATSDR's conclusion that there is insufficient information to develop MRLs for [PFCs] other than PFOA and PFOS is closely related to its decision that rodent toxicology data, in general, should not be considered for MRL development . . . [but] we do not agree that this conclusion is supported by the available scientific information."

Industry, by contrast, supports this conclusion. For example, consultants to

Solvay Specialty Polymers USA, LLC, write in that company's Nov. 30 comments that they agree that with ATSDR's determinations that there are insufficient data to derive acute or chronic MRLs, and that there is only sufficient data to calculate the two subchronic MRLs for PFOA and PFOS. Further, they write that they agree with ATSDR's conclusions that "[f]or all [PFCs], rodent data are not appropriate for use in the evaluation of human health effects and calculation of human health toxicity values [and] . . . [f]or all [PFCs], the human data are insufficient for making clear determinations of human health risks."

Solvay's comments are supported by the chemical trade organization Chemistry Council of New Jersey, of which Solvay is a member, according to the Council's Dec. 1 comments. -- Maria Hegstad (mhegstad@iwpnews.com)

EPA advisers pan fracking, water study	01/08/20Piletsburgh Post- Gazette Online	PA≣Ū
ENVIRONMENTALISTS SEEK OMB MEETING OVER EPA RADIOLOGICAL GUIDANCE	01/07/20 n6 ide EPA	V/≣
EPA DELAY OF STRONTIUM DECISION SHOWS CHALLENGE OF WATER REGULATION	01/07/20 16 ide EPA	V/II
STATES PUSH FOR BROAD RECORD IN LAWSUIT CLAIMING 'BAD FAITH' CWA RULE	01/07/20 66 ide EPA	V/E

News Headline: EPA advisers pan fracking, water study | 🛭 🔤

Outlet Full Name: Pittsburgh Post-Gazette Online

News Text: A landmark study by the U.S. Environmental Protection Agency that concluded

fracking causes no widespread harm to drinking water...

News Headline: ENVIRONMENTALISTS SEEK OMB MEETING OVER EPA RADIOLOGICAL GUIDANCE | \boxtimes

Outlet Full Name: Inside EPA

News Text: A host of environmental groups is raising concerns over proposed drinking water amendments to EPA's protective action guidelines for radiological emergencies, seeking discussions with the White House Office of Management & Budget (OMB) as the office reviews the proposal.

The groups express concern over the possibility that the proposal will permit a marked increase in the allowable level of radioactive contaminants in drinking water, and say any such effort "would be met with a firestorm of controversy."

They urge that any such proposals be rejected, and ask for discussions with OMB senior staff undertaking the review.

At issue is EPA's recent decision to seek interagency review of proposed drinking water guidelines for radiological emergencies. The agency sent the document to OMB Dec. 5 for review (Inside EPA, Dec. 18). The drinking water guidelines would update EPA's Protective Action Guide (PAG) for Radiological Incidents.

EPA in 2013 issued a draft update to an earlier radiological PAG, and specifically sought comment on whether it should develop a short-term drinking water PAG. The controversial 2013 PAG manual, which is in use as interim guidance, makes several changes from the 1992 version, including applying the manual to incidents other than just nuclear power plant accidents and incorporating Department of Homeland Security (DHS) cleanup guidance for improvised nuclear devices. But EPA at the time deferred including drinking water levels.

"EPA published the PAGs without changing the water limits, but indicated it was interested at some time in the future in considering breaching the Safe Drinking Water Act [(SDWA)] limits for PAG purposes," the environmental and nuclear watchdog groups say in a Dec. 22 letter to OMB Office of Information and Regulatory Affairs Administrator Howard Shelanski.

"We presume that that is what EPA has now transmitted to OMB for approval. This could result in the public being forced to consume water with concentrations of radionuclides hundreds or even thousands of times higher than considered acceptable under the Safe Drinking Water Act," they add.

Such a proposal would spark controversy, they say, noting that scores of groups opposed such suggestions in the past. "People would be extremely upset when they learn that the Obama Administration is contemplating imposing consumption of water with vastly higher concentrations of radioactivity than considered acceptable under the Safe Drinking Water Act," they say.

The letter was sent by the Natural Resources Defense Council, Physicians for Social Responsibility, Friends of the Earth, Food and Water Watch, Clean Water Action, Public Citizen, Beyond Nuclear, Public Employees for Environmental Responsibility, Nuclear Information and Resource Service, Environment America, Riverkeeper, and Committee to Bridge the Gap. The letter is available on InsideEPA.com. See page 2 for details. (Doc. ID: 187658)

The groups also say economic impacts would occur with a lowering of water protection standards, noting that if a radiological release contaminated water significantly above acceptable levels, protective actions might not be undertaken. People would be exposed to highly radioactive water, and the affected area would probably close down, they say.

"Schools would close; businesses would be shuttered; people would move out rather than drink water with radioactivity concentrations far above what has been historically considered acceptable," they say.

Environmentalists and anti-nuclear advocates have long opposed the PAGs, raising concerns that the agency's endorsement of standards thousands of times weaker than EPA's cleanup and drinking water limits could undermine the agency's strict Superfund standards (Inside EPA, April 19, 2013).

EPA has refuted charges that the PAGs will change Superfund or other agency cleanup levels, saying in a 2013 Federal Register notice seeking comment on the draft update that "PAGs are not intended to define 'safe' or 'unsafe' levels of exposure or contamination." The agency continued, "This guidance does not address or impact site cleanups occurring under other statutory authorities such as" EPA's Superfund program. And the PAG manual is not a legally binding regulation or standard and does not supersede any environmental laws, EPA has said.

But environmentalists have remained concerned about any acceptance of exposure levels less stringent than SDWA. In written comments on the 2013 PAG manual, a coalition of environmentalists criticized the agency's consideration of a drinking water PAG that referenced other entities' emergency guidelines, saying such a PAG would allow for a variety of drinking water values that could be up to tens of thousands of times less stringent than SDWA levels.

An EPA spokesman at press time was unable to comment in response to questions on the proposed drinking water guidelines and the agency's timeline for the water guidelines and finalizing the PAG.

News Headline: EPA DELAY OF STRONTIUM DECISION SHOWS CHALLENGE OF WATER REGULATION |

Outlet Full Name: Inside EPA

News Text: EPA is delaying a final decision on whether to set an enforceable drinking water limit for strontium after drinking water utilities argued the element is not being detected at harmful levels and that treatment technologies to remove it may also remove beneficial calcium illustrating the challenges EPA faces in setting new drinking water standards.

The agency announced the delay Dec. 22 along with its final determination not to regulate four of the 116 contaminants on the third contaminant candidate list (CCL3): dimethoate, 1,3-dinitrobenzene, terbufos, and terbufos sulfone. The determination was published in the Federal Register Jan. 4. The determination is available on InsideEPA.com. See page 2 for details. (Doc ID: 187611)

Under the Safe Drinking Water Act (SDWA), the agency is required to make regulatory determinations every five years for at least five contaminants on the CCL. But the agency has almost exclusively met that requirement by determining that various contaminants need no regulation.

EPA in 2011 decided to set a maximum contaminant level (MCL) for perchlorate, but the agency has missed statutory deadlines to propose and finalize the MCL after its Science Advisory Board recommended that agency regulators use new models to determine harmful exposure levels, rather than using EPA's traditional algebraic approach to setting the maximum contaminant level goal (MCLG). The MCLG is a health-based level EPA uses to set an enforceable MCL, which takes into account the MCLG, economic constraints and technical feasibility.

In October 2014, EPA proposed regulating strontium and determining that the other four contaminants did not need regulation (Inside EPA, Oct. 24, 2014). The agency said it believed regulating strontium is necessary because of the element's similarity to calcium, which "allows it to exchange imperfectly with calcium in a variety of biological processes" and that "the most important of these is the substitution of calcium in bone, affecting skeletal development."

But drinking water utilities and other industry sectors urged the agency to reconsider, with American Water saying in comments that EPA should "defer making a decision until a clearer and more complete analysis of health effects data is available and a more transparent analysis whether strontium does or does not occur with a frequency and at levels of public health concern in public water systems" (Inside EPA, Jan. 9, 2014).

EPA acknowledges the commenters' concerns in the decision document, saying, "The agency is delaying the final determination for strontium in order to consider additional scientific data

and decide whether there is a meaningful opportunity for health risk reduction by regulating strontium in drinking water."

In a summary of comments and the agency's response, EPA says many comments urged EPA to delay a final determination for strontium in order to collect more data and perform additional analyses. "Specifically, the comments were focused on the following areas: the relationship between occurrence and health risk, the [relative source contribution (RSC)] of strontium, the costs and benefits of a potential strontium regulation and the feasibility of treating strontium," EPA says.

The RSC is the level of exposure believed to result from drinking water when compared to other sources such as food or ambient air. EPA used its default value of 20 percent RSC in its preliminary regulatory determination for strontium.

EPA says three commenters questioned whether enough water systems show strontium at levels and frequency of concern that a meaningful reduction in health risk can be achieved through a national regulation, with two of these commenters suggesting an epidemiology study to evaluate whether adverse human health effects are occurring and at what drinking water concentrations.

Commenters also raised concerns about EPA's use of a 20 percent RSC and indicated the agency should provide stronger justification for using that calculation.

"Several commenters indicated concerns with the costs and benefits of a potential strontium regulation," EPA says, noting that one commenter urged the agency to update the current affordability standard under SDWA before promulgating any new drinking water standards in order to allow rural and small communities to utilize the most economical and safe treatment options.

In particular, "several commenters compared the cost of a potential strontium regulation to that of the arsenic regulation, based on the percentage and type of systems with strontium occurrence at levels of concern," EPA says.

Additionally, two commenters indicated that the treatment technology to remove strontium may remove beneficial alkaline earth metals, such as calcium, that partially counter the uptake of strontium, EPA says.

In response, EPA says it is evaluating recent additions to the exposure database to determine if the agency can develop a data-derived RSC rather than using a default calculation. But the agency cautions that it supports the use of the default RSC and may ultimately decide to use the 20 percent RSC in the final determination.

EPA says that if it decides to regulate strontium, it will conduct tests on treatment technologies to evaluate their effectiveness under different water conditions, including calcium concentrations, and will continue to work with stakeholders in the evaluation.

"At this time, the agency does not plan to initiate any longer term health effect studies, including human epidemiological studies on the relationship of skeletal effects and strontium exposure levels through consumption of drinking water and foods," EPA says.

But the agency says it will continue to evaluate new health studies related to strontium exposure, including any epidemiology studies. "It should be noted that while the agency is not precluded from conducting epidemiological studies, the agency is not required to do so to support the decision to regulate a contaminant," the agency adds.

EPA says that an evaluation of the costs and benefits of a potential strontium regulation is

outside the scope of the regulatory determination process. But the agency would conduct a health risk reduction and cost analysis, including an evaluation of the costs and benefits of regulating strontium, as part of the regulation development process, the decision document says. -- Amanda Palleschi

News Headline: STATES PUSH FOR BROAD RECORD IN LAWSUIT CLAIMING 'BAD FAITH' CWA RULE | MINING BROAD RECORD IN LAWSUIT CLAIMING BAD FAITH' CWA RULE | MINING BROAD RECORD IN LAWSUIT CLAIMING BAD FAITH' CWA RULE | MINING BROAD RECORD IN LAWSUIT CLAIMING BAD FAITH' CWA RULE | MINING BROAD RECORD IN LAWSUIT CLAIMING BAD FAITH' CWA RULE | MINING BROAD RECORD IN LAWSUIT CLAIMING BAD FAITH' CWA RULE | MINING BROAD RECORD IN LAWSUIT CLAIMING BAD FAITH' CWA RULE | MINING BROAD RECORD IN LAWSUIT CLAIMING BAD FAITH' CWA RULE | MINING BROAD RECORD IN LAWSUIT CLAIMING BAD FAITH' CWA RULE | MINING BROAD RECORD BROAD RECORD BROAD RECORD BROAD RECORD BROAD BROAD FAITH' CWA RULE | MINING BROAD BROAD

Outlet Full Name: Inside EPA

News Text: A group of 14 states suing EPA in federal district court over its Clean Water Act (CWA) jurisdiction rule is seeking a broad administrative record in the case to include Army Corps of Engineers staffers' memos faulting a draft version of the rule, saying the documents will help prove the states' claims that the rule was issued in "bad faith."

The states argue in a Dec. 31 reply brief in the U.S. District Court for the District of North Dakota that the court must be given the opportunity to review a complete administrative record in order to deliver meaningful judicial review, charging that excluding the memos and other documents would result in an incomplete record. Relevant documents are available on InsideEPA.com. See page 2 for details. (Doc. ID: 187773)

Justice Department (DOJ) attorneys argued on behalf of EPA and the Corps in a Dec. 21 opposition brief in the suit, State of North Dakota, et al., v. EPA, et al., that the record is already complete. DOJ said the inter-agency memos, draft documents and other items sought by the states are "deliberative" and should therefore not be considered in the suit because they are not part of the decisionmaking process.

EPA crafted the CWA jurisdiction rule with the Corps, and GOP lawmakers released the memos criticizing a draft version of the rule, saying it bolsters claims that the regulation is unlawful.

The states are hoping to expand the record in the pending district court case to include the memos and other documents they say will help prove their claims that the rule exceeds the agencies' authority. In their reply brief, the states say DOJ's claim that the record is complete is "disingenuous," rejecting the agencies' assertions that they do not have to include documents that are deliberative or not considered in the decisionmaking process.

"Further, the Agencies have demonstrated bad faith in the rulemaking," the brief says, citing a U.S. Court of Appeals for the 8th Circuit ruling in McClung v. Paul that held that bad faith in rulemaking can justify modifying the administrative record.

The states also cite a Dec. 14 Government Accountability Office legal opinion finding EPA's campaign to promote the rule violated two legal restrictions on use of appropriations, saying EPA should report the violation to President Obama and Congress and determine the total cost spent on the campaign.

In the North Dakota district court case, Magistrate Judge Alice Senechal on Nov. 10 issued an order that rejected DOJ's request to stay the district court litigation pending a decision by the 6th Circuit on whether it has authority to hear suits over the CWA rule. That order required EPA to file its administrative record, which includes documents that informed regulators' decisions in crafting a final rule or other agency action, and is intended to show a court the reasoning that contributed to the rule under challenge.

Most recently, Senechal in a Dec. 29 order agreed to the states' motion to hold off setting a

briefing schedule on the merits in the suit pending the court's forthcoming decision on the states' challenge to the completeness of the administrative record.

The Corps' criticisms at the center of the dispute were in inter-agency memos on a then-draft version of the CWA rule, and highlighted legal and other concerns about the regulation. Neither agency released the comments publicly, but GOP lawmakers released them after the agencies signed the final version of the rule May 27.

The states are seeking to include the memos in the suit because they believe the criticisms will bolster their claims that the CWA rule is unlawful. In their reply brief, the states urge the court to reject DOJ's argument that the record properly excludes internal, predecisional documents on the basis of relevance, rather than on the basis of "privilege" as the states have argued.

The states argue that "relevance" is not the appropriate standard and would allow the Agencies to block plain language in the Administrative Procedure Act (APA) Section 706, which the states argue mandates that the court shall review the whole record or those parts of it cited by a party. That record must consist of all documents "directly or indirectly" considered by the agency, the brief says, citing Thompson v. Department of Labor, a 1989 9th Circuit ruling, though the agencies may then raise applicable defenses for withholding certain documents and include them in a "privilege log," which the states argue the agencies did not do in this case.

A privilege log, according to a 2008 8th Circuit ruling in Missouri Coalition for Environment Foundation v. U.S. Army Corps of Engineers, is aimed at ensuring that "an effectively helpless party's right to information is not submerged beneath government obfuscation and mischaracterization."

In order to give the court the full opportunity to determine whether it should review documents the agencies are claiming are deliberative, the agencies must file a privilege log, the brief says, arguing that failure to do so will "hamstring" judicial review of the rule.

Moreover, the brief argues, "The Agencies' attempt to unilaterally decide what to include in the record on the basis of their own unchecked view of relevance is a classic case of the fox guarding the hen house, and completely at odds with the APA."

The brief also urges the court to require to be part of the administrative record recommendations made by a Science Advisory Board panel related to EPA's connectivity report, which was intended to provide scientific support for the rulemaking. -- Bridget DiCosmo

Antonio Bravo

Office of Wetlands, Oceans & Watersheds

202-566-1976

To: OW-OWOW-EVERYONE[OWOWOWEVERYONE@epa.gov]

From: Bravo, Antonio

Sent: Fri 12/18/2015 12:50:58 PM

Subject: FYI Only: Water articles in the Press

Daily News

EPA Rejects Ohio County's Call To Designate Western Lake Erie 'Impaired'

Posted: December 17, 2015

EPA officials are rejecting repeated calls from municipal officials near Lake Erie's Western Basin to list that portion of the waterbody as "impaired" under the Clean Water Act (CWA), arguing that current nutrient reduction efforts in the region are sufficient and that an impairment designation would not establish the authority to regulate non-point sources of pollution as Lucas County Commissioners argue.

The county, which includes the city of Toledo, says it is on the receiving end of dissolved phosphorus runoff with little to no ability to reduce it without a regional approach to reduce nutrients from agricultural activities, and has urged Region 5 and Ohio EPA officials to include the western basin on the state's list of impaired waters under CWA section 303(d). Such a listing requires the development of a waterbody cleanup plan known as a total maximum daily load (TMDL).

But in a Nov. 20 letter to county officials, Region 5 Water Division Director Tinka Hyde notes that Ohio EPA has developed TMDLs for a number of watersheds in the basin, and Region 5 is currently providing assistance to the state in developing several other TMDLs. "While TMDLs provide the basis for calculating point source effluent limits, they do not establish authority for regulating non-point sources," Hyde writes.

Hyde also defends the agency's decision to defer action on Ohio's decision not to list the waters beyond the western Lake Erie basin shoreline as impaired due to microcystin, a cyanotoxin produced by harmful algal blooms that are triggered by excess nutrients.

Ohio EPA in its 2014 list of impaired waters for the first time designated the public drinking water supply use for the wester basin shoreline as impaired due to microcystin, and the state has clarified to Region 5 that two drinking water intake zones are included in the designation. Region 5 "is continuing to discuss this matter with Ohio EPA," Hyde writes.

Ohio is among several states in the region struggling with the grown of harmful algal blooms in the wake of an August 2014 drinking water crisis that left Toledo-area residents without drinking water for several days.

Hyde's letter follows an October meeting among Region 5, Ohio EPA and county commissioners, and Oct. 15 letters from the commissioners to regulators where the county reiterates its concerns that a broader, regional approach is needed to address nutrients in the watershed.

"While there are solutions proposed or nearing implementation at the state and local level, voluntary measures which are not comprehensive throughout the watershed are insufficient," county officials write in an Oct. 15 letter to Region 5. "Decisions and forceful action from the U.S. EPA is needed. We disagree with EPA's further deferral from including the waters of the western basin (watershed) of Lake Erie on Ohio's Section 303(d) list."

Water Impairment

The county argues the drinking water impairment fails to address microcystin's effect on Lake Erie's \$12.9 billion recreation and tourism economy, as well as interference with the lake's ecology resulting in harm to game fish and other wildlife.

In its Oct. 15 letters to Region 5 and Ohio EPA, the county officials say it understands there are concerns "that being listed on the 303(d) may have negative effects," such as reducing tourism. But they maintain the action is necessary.

"While listing the Lake Erie watershed as 'impaired' under 303(d) has the potential to yield negative perceptions, nonetheless it is an important first step in addressing watershed restoration in an effective way," the commissioners write to Ohio EPA.

In their letter to Region 5, the commissioners say, "It is the opinion of the Lucas County Commissioners, and regional partners in the watershed, that we much acknowledge our challenge and address it directly and forthrightly. Only then can we utilize all of the tools at our disposal -- from local, state, and federal levels -- to their maximum effectiveness and restore the health of Lake Erie.

The county officials argue that Region 5's deferral of a decision on an impaired listing is "inconsistent" with its prior acknowledgment of "both the problem caused by algal blooms and the appropriateness of designating the open waters of the western basin of Lake Erie as 'impaired'" -- citing a letter EPA sent to Ohio prior to its eventual declaration of impairment for public drinking water.

"Adding the open waters of the western basin of Lake Erie to the 303(d) list would trigger actions that would begin to address the problems we face now and lead to the eventual restoration of our water quality to acceptable standards," the commissioners conclude. "Moreover, this would provide legally enforceable mechanisms that transcend political administrations." -- Amanda Palleschi (apalleschi@iwpnews.com)

Daily News

IPAA Urges EPA Against Revising Fracking Water Study 'Impacts' Finding

Posted: December 17, 2015

The Independent Petroleum Association of America (IPAA) is urging EPA against revising its conclusion in a draft study that there are "no widespread, systemic impacts" to groundwater from hydraulic fracturing, with IPAA saying the finding is accurate and that the agency should ignore advocates' push to reconsider the conclusion.

Some members of an EPA Science Advisory Board (SAB) panel reviewing the draft fracking study are also debating calling on the agency to revise the finding, saying it lacks adequate justification.

But IPAA Executive Vice President Lee Fuller in <u>a Dec. 11 letter to EPA</u> says, "The conclusion of no widespread, systemic impacts appropriately describes EPA's findings, which show that while oil and natural gas development (or indeed any kind of energy development) is certainly not risk free, the risk of water contamination is not pervasive."

The letter, addressed to agency Administrator Gina McCarthy, says, "EPA's report counters the notion that hydraulic fracturing poses an inherent threat to underground sources of drinking water (USDW)."

IPAA also raises concerns that the SAB panel is considering recommending that EPA revise its finding that the draft study "did not find evidence" of "widespread, systemic impacts on drinking water resources."

The draft study, released in June, identified potential mechanisms by which fracking activities could impact drinking water, including water withdrawals in areas with low water supply, spills of fracking fluids and produced water, underground gas migration, inadequate wastewater disposal and fracking directly into water resources.

But SAB panel members have indicated they could suggest that EPA revise the draft language, saying in <u>a Dec. 4 preliminary summary response to charge questions</u> following a Dec. 3 teleconference that the statements of findings "should be revised to be more precise and specific" and draw more clearly from the draft study.

"Of particular concern is the statement of no widespread, systemic impacts," the draft SAB panel document says, adding "Neither the system of interest nor the definitions of widespread, systemic or impact are clear and it is not clear how this statement reflects the uncertainties and data limitations" in the draft study.

IPAA says in the letter to McCarthy that it is concerned that pressure from environmental groups may be influencing the SAB panel comments. Advocates have also strongly urged EPA to revise the statement on impacts from fracking in their public comments during several SAB meetings. But IPAA says, "there is nothing ambiguous about EPA's finding. The terms 'widespread' and 'systemic' are clearly defined and unequivocal."

The letter points to a number of published studies that IPAA says support EPA's draft conclusion, including a study published in the *Proceedings of the National Academy of Sciences* from earlier this year, *Drollette*, *et al*. That analysis found no evidence of a direct link between shallow drinking water wells and upward migration from shale plays and a 2014 Department of Energy study that reported similar findings.

Chemical Disclosure

Meanwhile, a recent analysis slated for publication in the January 2016 volume of *Energy Policy* finds that the state-run database, FracFocus, is comprehensive but rates of withheld chemical information have increased. FracFocus has been the vehicle for fracking chemical disclosure in 23 state rules.

"However, when companies report fracturing chemicals without attribution to the specific products in the fracturing fluid (a systems approach to reporting) withholding rates drop four-fold," according to an abstract of the study, "Hydraulic fracturing chemicals reporting: Analysis of available data and recommendations for policymakers."

Separately, environmentalists have dropped a fracking chemicals disclosure lawsuit against EPA after the agency in October agreed to launch a rulemaking to add natural gas processing plants to the industry sectors required to report their chemical releases to the agency's Toxics Release Inventory (TRI). But the agency rejected advocates' efforts to expand the TRI rules to include oil and gas facilities, such as wells or compressors.

The Environmental Integrity Project (EIP) led 16 other groups, including Natural Resources Defense Council and Clean Air Council in petitioning EPA in 2012 to add SIC 13 to the inventory, saying it was necessary because the industry releases an estimated 127,000 tons of hazardous air pollutants annually. They filed suit in the U.S. District Court for the District of Columbia to try and force a response to the petition.

Given that EPA has now announced its rulemaking plan, EPA and EIP jointly moved Dec. 15 to dismiss the litigation and the court granted that request the same day. -- Bridget DiCosmo (bdicosmo@iwpnews.com)

News Briefs

RFF Finds Disparity In State Oil And Gas Wastewater Rules

Posted: December 17, 2015

A Resources for the Future (RFF) analysis examining a number of state regulations of tanks and pits used to store oil and gas wastewater finds wide variety in the type and stringency of rules, and also notes that while tanks may lead to smaller and less frequent spills than pits, tank systems are "not a magic bullet" for mitigating risk.

"Our survey of state regulations of on-site oil and gas wastewater storage revealed significant heterogeneity across states in the number and stringency of regulated elements," according to <u>the Dec. 17 study</u>, "Pits versus Tanks: Risks and Mitigation Options For On-site storage of Wastewater from Shale gas and Tight Oil Development."

The study says the disparity in rules provides an opportunity for states to improve their regulations based on the experiences of other state programs.

For example, Arkansas requires closed-loop tanks to be used within 100 feet of waterbodies, and Michigan requires tanks to be used for produced water, completion fluids, and other liquid wastes. However, North Dakota, Pennsylvania and other states allow pits to be used but vary in design, reclamation and other components of pit regulations.

Environmentalists have generally favored closed loop tank systems over open pits for storing flowback and produced water from hydraulic fracturing, but the RFF study indicates that while tanks lead to smaller and less frequent spills than pits, they are "not a magic bullet," research fellow Yusuke Kuwayama said during a Dec. 17 call.

The report points out that it is difficult to determine whether the tanks lead to fewer and smaller spills because they are safer or because pits are more widely used.

News Briefs

EPA Extends Forest Stormwater Policy Comment Deadline

Posted: December 17, 2015

EPA is extending from Jan. 11 to Feb. 12 the deadline for comments on existing federal, state and other programs designed to control stormwater runoff from roads on forest

lands, part of an effort to determine whether the Clean Water Act requires the agency to regulate these discharges.

In a Dec. 17 <u>Federal Register notice</u>, EPA says it is extending the current deadline by 32 days in response to several requests for more time.

<u>EPA announced</u> in a Nov. 10 *Federal Register* notice that as part of <u>a settlement</u> with environmentalists, the agency is seeking data to help it inform its next steps, cautioning that it has not made any decision on whether it will craft CWA rules for forest roads' runoff.

"EPA is considering the implementation, effectiveness, and scope of existing programs in addressing water quality impacts attributable to stormwater discharges from forest roads prior to making any decision," the Nov. 10 notice says, and the agency will assess existing federal, state, local and other programs in its review.

The settlement, which involved both revisions to EPA's general permit for small municipal separate storm sewer systems and consideration of federal regulation of forest road runoff, requires the agency to issue a determination by May 26 on whether, and if necessary how, it should regulate stormwater discharges from forest roads under the CWA.

EPA says that in assessing whether federal regulation is needed, the agency is considering the effectiveness of existing programs in addressing water quality impacts attributable to stormwater discharges from forest roads, including federal, state, local, tribal, third-party certifications, and combinations of these approaches, as well as voluntary best management practice-based approaches.

Environmentalists press EPA to examine Hudson dredging	12/17/2 045 sociated Press	N\\
EPA POISED TO ISSUE OVERSIGHT DECISION FOR MS4 PERMIT POLICY REVISION	12/17/20 65 ide EPA	V/■
EPA RADIOLOGICAL EMERGENCY DRINKING WATER PLAN SPURS ADVOCATES' CONCERN	12/17/20 fis ide EPA	VÆ∭
Senate approves bill to overhaul chemical regulation	12/17/20 45 sociated Press	N√≣I⊠
Senate passes chemical safety reform	12/17/20។ ភ Online, The	DC∭Ū
Sewer leak spills 32,000 gallons of sewage into the Jones Falls	e12/17/2Œ ā ltimore Sun Online, The	MC≣IŪ
82% WANT TANKS AT RESERVOIR	12/16/20 Re cord & Herald News, The	NJ≣

Congress threatens clean water by blocking EPA rule wth riders	12/16/20 5st-Standard, The	∍ N\≣
Judge denies Penobscots' claim to river; But the federal court's mixed ruling affirms tribal members' sustenance fishing rights along the main stem of the waterway.	12/16/20 95 rtland Press Herald	M(<u>≣</u>)⊠
NRDC Plans To Sue EPA Over Perchlorate Drinking Water Rule Delay	12/16/20 65 ide EPA	VA∭Ü
When did state know kids were lead poisoned?	12/16/2 16 troit Free Press Online	MI≣I0

News Headline: Environmentalists press EPA to examine Hudson dredging |

Outlet Full Name: Associated Press

News Text: ALBANY, N.Y. (AP) - Environmental groups unhappy with the just-completed Superfund cleanup of the upper Hudson River continue to press their case with federal officials.

Five environmental groups filed a petition with the Environmental Protection Agency on Thursday saying the agency should do more to evaluate the effectiveness of the six-year dredging project overseen by General Electric. The groups contend the PCB contamination along the upper river still lingers in potentially unsafe levels.

EPA officials have described the massive cleanup as a success. And General Electric, which released PCBs into the upper river before 1977, has said it is successfully meeting all of its commitments to the EPA.

The petitioning groups include the Natural Resources Defense Council, Hudson River Sloop Clearwater, Hudson Riverkeeper, Scenic Hudson and the Atlantic Chapter of the Sierra Club.

News Headline: EPA POISED TO ISSUE OVERSIGHT DECISION FOR MS4 PERMIT POLICY REVISION | March 1988 | March 2014 | March 201

Outlet Full Name: Inside EPA

News Text: EPA is poised to issue its decision on which of three draft options it has selected for its imminent proposal to rework parts of its Clean Water Act (CWA) general permit program for small municipal separate storm sewer systems (MS4s), with water agencies backing the option that would include the most specific mandates in their permit terms.

According to a letter recently obtained by Inside EPA that was sent to the agency from the National Association of Clean Water Agencies (NACWA), EPA in stakeholder meetings outlined the options it was considering for ensuring that small MS4s craft control plans that satisfy the CWA mandate to reduce pollution discharges to "the maximum extent practicable" (MEP), in order to comply with a remand in litigation over the program.

EPA sent the proposed MS4 general permit remand rule update to the White House Office of Management & Budget (OMB) for review Oct. 17, and OMB completed its review Dec. 11. But with the rule due for release Dec. 17 under a settlement deadline, sources who met with EPA say officials have not disclosed the content of the final proposal. The letter is available on InsideEPA.com. (Doc. ID: 187371)

According to NACWA's letter, which is dated Oct. 2, EPA outlined three options for the program update. The first option would "require permitting authorities to more clearly define permit requirements that establish what actions are necessary (including associated deadlines and frequencies) to meet" the MEP standard.

The second option would instead broaden requirements for public notice when MS4s seek coverage under a general permit, to allow citizen groups or individuals to voice concerns through comments.

The third option "would essentially be a hybrid of the first two options, allowing states to choose which approach they believe is best," the letter says.

NACWA in its letter says it tentatively prefers the first option, although it notes that without formal regulatory text it cannot fully judge whether any of the three choices would be satisfactory for the treatment industry.

"[B]ased on the information we have received from EPA to date and feedback from the MS4 community, we believe Option 1 is worthy of additional consideration. Such an approach, as NACWA understands it, would maintain sufficient flexibility around the MEP concept -- a critically important issue for NACWA," the letter says.

Under current policies, when a small MS4 applies for coverage under a general permit crafted by EPA or state regulators, the system must craft a pollution control plan to satisfy the MEP standard, but those plans are not subject to approval by state or federal regulators, or to public notice and comment.

The agency is acting under an appellate court order to implement a more stringent review process, but has freedom to decide what form that review should take.

Regulators and courts have long struggled to define the MEP standard that Congress included when it amended the water law to require discharge permits for public stormwater systems. Environmentalists argue that it mandates stringent reductions while the MS4s themselves claim it requires permit writers to be mindful of technological and financial limitations when setting limits.

NACWA's letter urges EPA not to try to define the standard in the current rulemaking, warning that any such effort would greatly expand the scope of the rule and invite lawsuits from all sides.

"An effort by EPA to provide a strict definition of MEP in a national rulemaking would be legally suspect and open to legal challenge. Instead, EPA should seek to provide sufficient flexibility in the rule so that permitting authorities, municipal permittees, and interested stakeholders can have additional dialogues about what requirements constitute MEP on a case-by-case basis," the letter says.

The pending rule is the result of a 2003 ruling by the U.S. Court of Appeals for the 9th Circuit in Environmental Defense Center (EDC), et al. v. EPA. There, the court ordered EPA to revise its "Phase II" policy for small MS4s and other stormwater rules; however, the agency did not begin crafting a rule until environmentalists brought another suit, in re: EDC, in 2014.

EPA and the advocates then settled that suit in August, setting a Dec. 17 deadline for proposing a new general permit policy and requiring final action by Nov. 17, 2016. The settlement also requires EPA to issue a determination by May 26, 2016 on whether, and if necessary how, to regulate stormwater discharges from forest roads under the CWA.

The court held in 2003 that because EPA's permit rule did not subject MS4s' stormwater

management plans to public review or regulatory approval, there was no guarantee that the plans would satisfy the MEP standard.

"[U]nder the Phase II Rule, in order to receive the protection of a general permit, the operator of a small MS4 needs to do nothing more than decide for itself what reduction in discharges would be the maximum practical reduction. No one will review that operator's decision to make sure that it was reasonable, or even good faith," Circuit Judge James R. Browning wrote for the 2003 panel.

Along with weighing in on the options for oversight of the MEP standard, NACWA's letter also cautions EPA against using the forthcoming rule to implement any broader changes to the MS4 permit system.

The rule "should be as narrowly targeted as possible to comply with the remand requirements from the EDC decision, and should not pursue any broader changes to the Phase II or Phase I stormwater programs. This includes addressing issues beyond the scope of the remand, such as specific post-construction standards," it says.

EPA in 2014 abandoned its long-planned post-construction rule for stormwater runoff that would have set retention standards for all new construction and redevelopment, choosing instead to focus on incentives and technical assistance for cities and towns to address stormwater runoff themselves. But industry sources have said they expect EPA to advance a similar agenda through a "permit-by-permit" in which regulators enter retention standards in individual permits to achieve the same overall effect over time as a rulemaking. -- David LaRoss

News Headline: EPA RADIOLOGICAL EMERGENCY DRINKING WATER PLAN SPURS ADVOCATES' CONCERN |

Outlet Full Name: Inside EPA

News Text: EPA's decision to seek interagency review of proposed drinking water guidelines for radiological emergencies is drawing concern from environmentalists who fear the agency is seeking to allow short-term exposures in emergencies that are less stringent than Safe Drinking Water Act (SDWA) standards.

EPA on Dec. 5 sent to the White House Office of Management and Budget (OMB) a notice for a "Protective Action Guidance for Radiological Incidents," according to OMB's website.

An EPA spokeswoman says the document is a "draft Notice of Document Availability for a proposed drinking water Protective Action Guide [PAG] for radiological emergencies."

The agency in 2013 issued a draft update to an earlier radiological PAG, and specifically sought comment on whether it should develop a short-term drinking water PAG. The controversial 2013 PAG manual, which is in use as interim guidance, makes several changes from the 1992 version, including applying the manual to incidents other than just nuclear power plant accidents and incorporating Department of Homeland Security (DHS) cleanup guidance for improvised nuclear devices. But EPA at the time deferred including drinking water levels.

EPA's apparent decision to move forward with a drinking water PAG is "horrid," one environmentalist says, adding "We were worried from day one they'd propose a dramatic weakening."

While it is unknown what is in the document sent to OMB, this source says it is unlikely EPA

would seek approval for the guide unless it made changes to current practices.

Environmentalists and anti-nuclear advocates have long opposed the PAGs, raising concerns that the agency's endorsement of standards thousands of times weaker than EPA's cleanup and drinking water limits could undermine the agency's strict Superfund standards (Inside EPA, April 19, 2013).

EPA has refuted charges that the PAGs will change Superfund or other agency cleanup levels, saying in a 2013 Federal Register notice seeking comment on the draft update that "PAGs are not intended to define 'safe' or 'unsafe' levels of exposure or contamination." The agency continued, "This guidance does not address or impact site cleanups occurring under other statutory authorities such as" EPA's Superfund program. And the PAG manual is not a legally binding regulation or standard and does not supersede any environmental laws, EPA said.

But environmentalists remain concerned about any acceptance of exposure levels less stringent than SDWA. In written comments on the 2013 PAG manual, a coalition of environmentalists criticized the agency's consideration of a drinking water PAG that referenced other entities' emergency guidelines, saying such a PAG would allow for a variety of drinking water values that could be up to tens of thousands of times higher than SDWA levels.

"Rather than proposing to force people to drink water contaminated at levels hundreds, thousands, or even tens of thousands of times higher than the EPA has historically considered acceptable under the [SDWA], the PAGs should instead do what they are supposed to do: provide protective action guidance for authorities on how to treat contaminated water or provide alternative drinking water supplies after the immediate emergency has passed," the coalition said.

State comments collected by the Association of State & Territorial Solid Waste Management Officials showed a variety of positions, with one state agreeing to the concept of a short-term drinking water PAG, while another called for SDWA limits to be used "when possible" during the early phase of such an emergency, and a third state cautioned against using any water that would not meet SDWA limits.

In other comments, some states and radiation scientists supported the development of a drinking water PAG, noting the 2011 Fukushima nuclear power plant accident showed that applying the existing radionuclides drinking water regulations to accident conditions failed to be feasible.

EPA says on its website that part of the reason for developing the 2013 PAG manual was to include lessons learned from actual radiological emergencies, including the Fukushima nuclear power plant accident.

Significant changes to the PAG manual from the 1992 version include applying the manual to incidents other than just nuclear power plant accidents; referring users to current Food and Drug Administration (FDA) food guidance; providing guidance for potassium iodide based on the latest FDA guidance; providing basic planning guidance on reentry, cleanup and waste disposal; and incorporating late phase cleanup guidance from DHS' Radiological Dispersal Device/Improvised Nuclear Device Planning Guidance.

EPA's website says the agency plans to issue a final version of the 2013 PAG manual in 2016, but agency sources have indicated that timeline could slip if EPA sought comment on specific drinking water levels. An EPA spokeswoman did not respond to a request to clarify the timeline.

EPA began revising the PAG manual during the Bush administration but did not complete the revisions before the transition to the Obama administration, which eventually issued the

proposed 2013 update after additional review and extensive debate both within the agency and among federal agencies.

For example, a 2009 Nuclear Regulatory Commission (NRC) internal memo said NRC staff were concerned "about the use of the SDWA standards, which were developed for normal operations, in an emergency and immediate post-emergency situation." The application of these standards in an emergency could force communities to supply bottled water or relocate populations to avoid doses of 4 millirem per year, the memo said.

And sources said at the time that there were differences of opinion among EPA's Office of Radiation and Indoor Air (ORIA), which developed both the PAG manual and draft drinking water PAG currently at OMB, and other EPA offices.

The Bush-era PAG included drinking water tables while the Obama PAG removed them and sought additional comment. But ORIA staff have said at recent public meetings that they were preparing new drinking water tables, the environmentalist says.

"The move over to OMB shows ORIA has been able to bypass concerns expressed by other EPA divisions," the source says. -- Lara Beaven

News Headline: Senate approves bill to overhaul chemical regulation | March 1988 | March 2014 |

Outlet Full Name: Associated Press

News Text: WASHINGTON (AP) - A bill to set safety standards for tens of thousands of chemicals that now are unregulated is one step closer to becoming law.

The bill - the first update of regulations governing harmful chemicals in nearly 40 years - would offer new protections for people such as pregnant women, children and workers who are vulnerable to the effects of chemicals. It also would set deadlines for the Environmental Protection Agency to act.

The Senate approved the measure on a voice vote Thursday night with just a handful of senators in the chamber, as lawmakers prepared for a year-end recess. The bill now goes to the House, where a similar bill was approved in June.

If enacted into law, the bill would be the first significant update to the Toxic Substances Control Act since the law was adopted in 1976.

"This bill will create more regulatory certainty for American businesses and uniform protections for American families," said Sen. James Inhofe, R-Okla., chairman of the Senate Environment Committee and a leading supporter of the bill.

The bill, sponsored by Republican David Vitter of Louisiana and Democrat Tom Udall of New Mexico, is named after the late Sen. Frank Lautenberg, a New Jersey Democrat who pushed for chemical reform before his death in 2013.

Vitter called the Senate vote historic.

"As we honor the legacy of the late Senator Frank Lautenberg, we also move toward the future embracing these major, necessary reforms to our nation's broken chemical safety law," he said.

Udall said the measure will ensure that Americans in all 50 states have necessary protections

from toxic chemicals.

"With thousands of chemicals in existence, and as many as 1,500 new chemicals coming on the market each year, 39 years is too long to go without protections for children and families," Udall said in a statement.

Regulation of chemicals took on new urgency after a crippling spill in West Virginia last year contaminated drinking water for 300,000 people. The chemical, crude MCHM, is one of thousands unregulated under current law.

The House bill differs from the Senate version in a number of areas, including a provision that allows states to continue regulating toxic chemicals as long as the state law does not conflict with the federal statute. Lawmakers in both chambers have struggled to find language acceptable to those seeking strong state regulation of dangerous chemicals while not creating a situation where industry faces 50 sets of rules for chemicals.

Follow Matthew Daly: http://twitter.com/MatthewDalyWDC

Outlet Full Name: Hill Online, The

News Text: ...Jersey senator, updates the 1976 Toxic Substances Control Act to give the

Environmental Protection Agency (EPA) broad...

News Headline: Sewer leak spills 32,000 gallons of sewage into the Jones Falls | ⊍

Outlet Full Name: Baltimore Sun Online, The

News Text: ...sewer overhaul required under a consent order signed in 2002 with the

Environmental Protection Agency and the Maryland...

News Headline: 82% WANT TANKS AT RESERVOIR |

Outlet Full Name: Record & Herald News, The

News Text: Thousands of respondents overwhelmingly approved of a plan to replace a Garret Mountain reservoir with huge water tanks in a survey that critics on Wednesday dismissed as misleading, in part because it failed to mention several viable alternatives.

The Passaic Valley Water Commission on Wednesday released results of the survey in its effort to win public backing for its plan to drain the open-air Stanley M. Levine Reservoir in Paterson and replace it with water tanks. The reservoir lies on the border with the Paterson Great Falls National Historical Park.

The commission is under federal order to protect the water from contamination by animal waste by covering the reservoir, building plants to re-treat the water, or storing treated water in tanks.

Most of the 4,849 respondents said the water at the Levine reservoir shouldn't be stored in an open reservoir and favored proceeding with the agency's plan to build tanks, according to survey results presented by a consultant at the water commission's monthly meeting.

If the commission had hoped the survey would soften criticism that it had not solicited enough public input in plans that originally involved draining three Garret Mountain reservoirs, the immediate response of its opponents wasn't promising.

The process was "designed from the start to elicit a predetermined outcome," said Bob Guarasci, the head of the Paterson-based New Jersey Community Development Corp. "This was more a push poll than a legitimate survey because it omitted many salient facts."

Among them, he said, the survey didn't mention an option to decommission the reservoirs and instead draw water from the Wanaque Reservoir. The survey also underplayed the adverse impact of the water tanks on the nearby Paterson Great Falls National Historical Park, Guarasci said, and it conveyed a misleading impression that whenever a ratepayer turns on the faucet, the water comes from the reservoir when it does so only rarely.

The Levine reservoir would be the first of three Garret Mountain reservoirs to be drained and replaced with concrete tanks, a step toward protecting the water against fecal contamination in compliance with federal environmental standards.

But some residents and preservationists fear the tanks would spoil the scenic views of Garret Mountain and Paterson's historic district, and more than two dozen local governing bodies have passed resolutions calling for the project to be halted until 2016, when the federal Environmental Protection Agency undergoes a periodic six-year review of its rules and regulations.

Survey respondents overwhelmingly favored the water commission's plans, said Joseph Getz, a principal with JGSC Group, a South Jersey consulting firm hired by the commission for \$140,000.

He reported that 82 percent said the water shouldn't be stored in open reservoirs, while 18 percent said it was OK; 82 percent said the plan should proceed, while 18 percent said it should be delayed until the EPA reviews its rules next year.

Of the potential solutions laid out in the survey, 72 percent favored storage tanks, 25 percent favored retreatment of the reservoir water and 3 percent favored a cover and liner.

JGSC Group mailed the 12-question survey to 125,000 households and heard back from respondents by mail or through an online survey accessible through the water commission's website.

Since September, the firm has conducted workshops explaining the project to the mayors of Clifton, Passaic and Paterson, state and federal lawmakers, and members of the public. Plans for the second phase, dealing with the New Street Reservoir, and Phase III, involving the Great Notch Reservoir, are to come later.

Email: parkm@northjersey.com

News Headline: Congress threatens clean water by blocking EPA rule wth riders |

Outlet Full Name: Post-Standard, The

News Text: To the Editor:

I'm writing on behalf of the Natural Resources Defense Council to call attention to the participation of Congressmen Richard Hanna, R-N.Y., and John Katko, (R-N.Y., in an effort to threaten our country's clean drinking water sources - and to dismantle many other essential environmental protections.

Congressional negotiators are facing a deadline in the coming days to reach an agreement on spending bills to keep the government from shutting down. But many Republicans, including Hanna and Katko, are making a shutdown more likely by trying to add anti-environmental provisions, known as riders, to the funding measures. These riders do not change spending levels; they are added to these bills to force through measures that cannot make it into law through normal processes.

One rider would kill the Clean Water Rule, which is designed to help ensure the safety of the drinking water supplies for one in three Americans. Big polluters and their allies in Congress are going to great lengths to repeal the rule. This is a serious threat to millions of Americans. That includes small businesses, those who participate in a \$200 billion hunting and fishing economy, and families across the nation whose households' drinking water depends on the sources the rule would protect. And it includes natural treasures of critical fresh waters such as the Great Lakes.

And this attack on the Clean Water Rule is just one of more than 100 riders Republicans have attached to must-pass spending bills. Similar riders take aim at measures to limit climate change, repeal health standards the EPA recently issued to protect Americans from smog, and prevent the Department of Energy from updating standards that make household appliances and light bulbs more energy-efficient. They take away protections for a number of endangered species, from the gray wolf to the greater sage grouse.

These are provisions that have nothing to do with spending; they're merely there to hold the operations of the government hostage to an ideological agenda.

Senate Minority Leader Harry Reid, D-Nev., and House Minority Leader Nancy Pelosi, D-Calif., as well as Obama administration officials, are working to block the riders in the budget negotiations, which are going down to the wire.

That's the right position.

Bringing the country to the brink of a shutdown to protect profits for corporate polluters is not good-faith negotiation, nor is it any way to run a government. Using spending bills to hold the American public hostage creates an unnecessary - and false - choice between keeping the government running and protecting the public from harm to health and to the environment.

Anne Hawke

National Resources Defense Council

Washington, D.C.

News Headline: Judge denies Penobscots' claim to river; But the federal court's mixed ruling affirms tribal members' sustenance fishing rights along the main stem of the waterway.

Outlet Full Name: Portland Press Herald

News Text: A federal judge ruled Wednesday that the Penobscot Nation's reservation does not extend to the waters of the tribe's namesake river itself but said members can conduct sustenance fishing throughout the river.

A federal judge ruled Wednesday that the Penobscot Nation's reservation ends at the shoreline of tribal islands, siding with the state in a jurisdictional dispute over the waters of the Penobscot River.

But in a mixed ruling, U.S. District Court Judge George Singal reaffirmed tribal members' sustenance fishing rights throughout the main stem of the Penobscot.

Singal rejected arguments from the Penobscot Nation and federal agencies that the tribe's reservation boundaries extend "from bank to bank" of Maine's second-largest river. Instead, Singal sided with Attorney General Janet Mills in ruling there was "no ambiguity" in the definition of the reservation as laid out in the landmark Maine Indian Claims Settlement Act of 1980 negotiated between the state, federal government and tribes.

"The Settlement Acts clearly define the Penobscot Indian Reservation to include the delineated islands of the main stem, but do not suggest that any of the waters of the main stem fall within the Penobscot Indian Reservation," Singal wrote. "That clear statutory language provides no opportunity to suggest that any of the waters of the main stem are also included within the boundaries of the Penobscot Indian Reservation."

But Singal rejected the state's interpretation on the fishing issue and, seeking to clarify what he said was ambiguous language, said the tribe has a "retained right to sustenance fish in the main stem, as it had done historically and continuously." Under the state's erroneous interpretation, Singal wrote, tribal members would only be allowed to fish from land.

"There is no evidence that the Maine Legislature, Congress, or the Penobscot Nation intended for the Settlement Acts to change and further restrict the already long-accepted practice of Penobscot Nation members sustenance fishing in the main stem, such that tribal members would need to have at minimum one foot on an island and could no longer sustenance fish from boats in the main stem," Singal said.

water-quality suit pending

This ruling doesn't address a dispute over water-quality standards in the waterways that pass through tribal lands. A separate lawsuit on that issue that the state filed against the federal government is pending.

Tribal leaders were evaluating the ruling Wednesday evening and plan to "huddle up" with attorneys from the U.S. Department of Justice, which helped argue the tribe's case, to discuss next steps, which could include an appeal.

Penobscot Nation Chief Kirk Francis described the ruling as "a mixed bag." Francis was gratified Singal upheld the tribe's sustenance fishing rights "from bank to bank" but disappointed that the judge did not believe those waters are part of the reservation. That is concerning, Francis added, because the tribe needs to understand how to manage a resource that members depend on for sustenance.

"Obviously it's not the greatest decision for the tribe," Francis said. "We are trying to understand how the existing statute and the decision fit together."

Mills said the case, which has been watched closely by American Indian organizations around

the country, could have had "potentially enormous" ramifications for river users. While the tribe's attorneys argued that the case was primarily about sustenance fishing rights, lawyers for the state said Penobscots' interpretation of their boundaries could allow the tribe to exclude fishermen from the river, charge fees for access or even regulate industrial and municipal discharges into the Penobscot.

"The state respects that federal Judge George Singal has digested thousands of pages of filings by all the parties and intervenors," Mills' office said in a statement. "In this very thorough 64-page ruling the judge decided very clearly that the reservation itself does not include the main stem of the Penobscot River. The river is, as the state argued, held in trust for the benefit and use of all. The State is equally pleased that the court recognized the historical right of individual tribal members to engage in sustenance fishing along the river, a right which the state has always accorded and never denied."

decades of tensions

The case stems from a 2012 letter from then-Attorney General William Schneider, although the underlying tensions over tribal jurisdiction and fishing rights date back decades.

Responding to reports that tribal game wardens were stopping and summonsing non-tribal sportsmen on the river, Schneider advised the Maine Warden Service and Maine Marine Patrol that the Penobscot reservation does not include the main stem of the river.

"Like private landowners, the Penobscot Nation may also restrict access to their lands, here islands, as it sees fit," Schneider wrote. "However, the river itself is not part of the Penobscot Nation's Reservation, and therefore is not subject to its regulatory authority or proprietary control. The Penobscot River is held in trust by the State for all Maine citizens, and State law, including statutes and regulations governing hunting, are fully applicable there."

The Penobscot Nation filed suit in federal court 12 days later, claiming that any attempt to enforce state law against tribal members who are sustenance fishing in the river "threatens to violate the federal law right of the Nation's members to be free from state authority over such activity."

The case is emblematic of the growing rift between Maine's tribal governments and the LePage administration as well as ongoing tensions over the 35-year-old settlement agreement. In May, the Penobscot Nation and Passamaquoddy Tribe withdrew their representatives to the Maine Legislature and accused the state of attempting to perpetuate a "guardian-to-ward relationship" with the sovereign tribal nations. Mills, meanwhile, is suing the U.S. Environmental Protection Agency over water quality standards in waters that pass through tribal areas. Kevin Miller can be contacted at 791-6312 or at: kmiller@mainetoday.com Twitter: KevinMillerPPH

News Headline: NRDC Plans To Sue EPA Over Perchlorate Drinking Water Rule Delay | ⊍

Outlet Full Name: Inside EPA

News Text: You've followed a link to an article or document on InsideEPA.com. There are three ways you can access this content. Subscriber Login...

News Headline: When did state know kids were lead poisoned? | 🗓 🔤

Outlet Full Name: Detroit Free Press Online

News Text: ...state officials say they believed were federal safety guidelines. The U.S. Environmental Protection Agency got involved; a...

Antonio Bravo

Office of Wetlands, Oceans & Watersheds

202-566-1976

To: Lisa Christ[Christlm2@yahoo.com]

From: Christ, Lisa

Sent: Thur 12/4/2014 9:57:35 PM

Subject: FW: File Attached

12-4-14 Draft Chapter Drinking Water PAG clean.docx

From: Hernandez-Quinones, Samuel

Sent: Thursday, December 04, 2014 4:26 PM

To: Christ, Lisa

Subject: File Attached

Hi Lisa,

The most recent version of the file is attached.

Sam

Samuel Hernández Quiñones, P.E. Environmental Engineer Environmental Protection Agency Office of Water 1200 Pennsylvania Ave. NW Washington, DC 20460 202-564-1735

"USEPA Protecting Human Health and the Environment"

To: Veal, Lee[Veal.Lee@epa.gov]

Cc: DeCair, Sara[DeCair.Sara@epa.gov]; Hernandez-Quinones,

Samuel[Hernandez.Samuel@epa.gov]

From: Christ, Lisa

Sent: Thur 12/4/2014 7:58:03 PM
Subject: RE: Water PAG Chapter revisions

Hi Lee,

Sam, Jerry and I met earlier this week (last week was too difficult with the holiday). Sam's incorporating our comments which are mostly organization vs. content. We plan to have a draft ready for Eric to review NLT 12/10. After we've addressed his comments I think we will be comfortable going to the multi-agency committee with chapter language. I think this will keep us on track to meet with the multi-agency group in January and the rest of our milestones. It may be helpful to have the technical writer go back through the chapter after OGC and OW AA review.

Let me know if y'all have a different plan in mind.

Thanks-

Lisa

From: Veal, Lee

Sent: Thursday, December 04, 2014 1:42 PM

To: Christ, Lisa

Cc: DeCair, Sara; Hernandez-Quinones, Samuel

Subject: Water PAG Chapter revisions

Good afternoon Lisa,

I am in between meetings today and thought that I should catch up with you on the Water PAG chapter.

I recall that you have some recommendations on the chapter, particularly around the ordering of the information but also perhaps on making sure we have it down clearly. I have some thoughts as well.

What might be the most helpful thing we could do? I can make arrangements for our technical writer to sit with us and hear about our needs, then he can take a stab at the revision? Or other approach?

Lee

Lee Ann B. Veal

Director, Center for Radiological Emergency Management

Radiation Protection Division, ORIA, OAR

Office: 202-343-9448

Cell: 202-617-4322

www.epa.gov/radiation

From: DeCair, Sara

Sent: Thursday, November 13, 2014 4:46 PM

To: Christ, Lisa; Perrin, Alan; Veal, Lee; Edwards, Jonathan; Hernandez-Quinones, Samuel

Subject: Materials for DA briefing on Water PAG

For our joint briefing with Deputy Administrator Stan Meiburg next Thursday, here are the

updated materials. PAGs 101 has only one edit. It is a simpler definition of PAG on slide 3, at Mike Flynn's request. The only changes in the joint briefing are the footer date and the end date of the schedule (now March 2016) which I had mistyped previously.

The plan for the briefing is for me to offer to go through the PAGs 101 if Stan would like, and then Lisa and I are going to tag-team the briefing paper. We decided on which sections each of us will do this afternoon. A 'Background for DA' is attached from OW, on the details of how the risk analysis was done. Ken suggested this be provided for a read-ahead, but not to go through during the meeting.

Jon and Alan will send these up through Mike Flynn and Lisa will send materials up to Ken's office in the morning before they go to the DA's office. I will bring extra paper copies to the meeting. Cheers,

Sara

Sara D. DeCair

http://www.epa.gov/radiation/rert/pags.html

202-343-9108

new office

Room 1416 B in WJC West

To: Ellis, Jerry@epa.gov]; Hernandez-Quinones, Samuel[Hernandez.Samuel@epa.gov]

From: Christ, Lisa

Sent: Mon 12/1/2014 8:38:34 PM

Subject: RE: Draft PAG Drinking Water Chapter

<u>Draft Chapter Drinking Water PAG 10-28-2014 LC.docx</u>

My comments

From: Ellis, Jerry

Sent: Monday, December 01, 2014 2:53 PM To: Christ, Lisa; Hernandez-Quinones, Samuel Subject: Draft PAG Drinking Water Chapter

Hi Sam and Lisa,

I reviewed the PAG chapter. Here are my edits and comments. Please take a look.

Thanks.

Jerry L. Ellis, Jr.

Environmental Scientist

U.S. Environmental Protection Agency

Standards and Risk Management Division

Office of Ground Water and Drinking Water

1200 Pennsylvania Ave. (4607M), N.W.

Washington, D.C. 20460

Phone: 202-564-2766

To: Greene, Ashley[Greene.Ashley@epa.gov]

From: Christ, Lisa

Sent: Wed 11/19/2014 9:15:41 PM

Subject: FW: Deputy Administrator Meeting on 11/20 Radiation PAG

Deputy Admin Mtg Request.docx

Background for Deputy Administrator 11 20 14.docx

OW-OAR PAG brief final v2 LC.docx

PAGs 101 10-17-2014.ppt Memo for Mr Kopocis.docx

Hi Ashley,

Here are the materials for Peter for tomorrow.

Lisa

From: Christ, Lisa

Sent: Friday, November 14, 2014 1:01 PM

To: Mason, Paula

Cc: Lopez-Carbo, Maria; Greene, Ashley; Hernandez-Quinones, Samuel; Burneson, Eric;

Penman, Crystal

Subject: Deputy Administrator Meeting on 11/20 Radiation PAG

Hi Paula,

OAR has already requested and scheduled a briefing for Stan Meiburg for 11/20 (see attached). I'm providing the briefing materials for Ken's review 4 business days in advance per the new guidance.

Also attached are:

The pre-brief memo

The briefing document

Background materials: PAGs 101 & Background for Deputy Administrator

The OGWDW point of contact is Sam Hernandez. 564-1735

Lisa Christ, Chief

Targeting and Analysis Branch

Office of Ground Water and Drinking Water

USEPA

1200 Pennsylvania Ave NW Washington, DC 20460-0001 phone: 202.564.8354 fax: 202.564-3760

Mail Code: 4607M

To: Mason, Paula[Mason.Paula@epa.gov]

Cc: Lopez-Carbo, Maria[lopez-carbo.maria@epa.gov]; Greene, Ashley[Greene.Ashley@epa.gov]; Hernandez-Quinones, Samuel[hernandez.samuel@epa.gov]; Burneson, Eric[burneson.eric@epa.gov];

Penman, Crystal[Penman.Crystal@epa.gov]

From: Christ, Lisa

Sent: Fri 11/14/2014 6:00:36 PM

Subject: Deputy Administrator Meeting on 11/20 Radiation PAG

Deputy Admin Mtg Request.docx

Background for Deputy Administrator 11 20 14.docx

OW-OAR PAG brief final v2_LC.docx

PAGs 101 10-17-2014.ppt Memo for Mr Kopocis.docx

Hi Paula,

OAR has already requested and scheduled a briefing for Stan Meiburg for 11/20 (see attached). I'm providing the briefing materials for Ken's review 4 business days in advance per the new guidance.

Also attached are:

The pre-brief memo

The briefing document

Background materials: PAGs 101 & Background for Deputy Administrator

The OGWDW point of contact is Sam Hernandez. 564-1735

Lisa Christ, Chief

Targeting and Analysis Branch

Office of Ground Water and Drinking Water

USEPA

1200 Pennsylvania Ave NW Washington, DC 20460-0001 phone: 202.564.8354 fax: 202.564-3760

Mail Code: 4607M

To: DeCair, Sara[DeCair.Sara@epa.gov]; Perrin, Alan[Perrin.Alan@epa.gov]; Veal, Lee[Veal.Lee@epa.gov]; Edwards, Jonathan[Edwards.Jonathan@epa.gov]; Hernandez-Quinones, Samuel[Hernandez.Samuel@epa.gov]

From: Christ, Lisa

Sent: Fri 11/14/2014 2:03:01 PM

Subject: RE: Materials for DA briefing on Water PAG

OW-OAR PAG brief final v2 LC.docx

Hi Sara,

I saw a couple typos and revised a little language in the schedule for consistency. Attached is a revised version.

Thank you-

Lisa

From: DeCair, Sara

Sent: Thursday, November 13, 2014 4:46 PM

To: Christ, Lisa; Perrin, Alan; Veal, Lee; Edwards, Jonathan; Hernandez-Quinones, Samuel

Subject: Materials for DA briefing on Water PAG

For our joint briefing with Deputy Administrator Stan Meiburg next Thursday, here are the updated materials. PAGs 101 has only one edit. It is a simpler definition of PAG on slide 3, at Mike Flynn's request. The only changes in the joint briefing are the footer date and the end date of the schedule (now March 2016) which I had mistyped previously.

The plan for the briefing is for me to offer to go through the PAGs 101 if Stan would like, and then Lisa and I are going to tag-team the briefing paper. We decided on which sections each of us will do this afternoon. A 'Background for DA' is attached from OW, on the details of how the risk analysis was done. Ken suggested this be provided for a read-ahead, but not to go through during the meeting.

Jon and Alan will send these up through Mike Flynn and Lisa will send materials up to Ken's office in the morning before they go to the DA's office. I will bring extra paper copies to the meeting. Cheers,

Sara

Sara D. DeCair

http://www.epa.gov/radiation/rert/pags.html

202-343-9108

new office

Room 1416 B in WJC West

From: Christ, Lisa

Location: WJC North 3412

Importance: Normal

Subject: FW: Proposed Drinking Water Protective Action Guides (PAGs) Discussion

Start Date/Time: Thur 11/20/2014 10:00:00 PM **End Date/Time:** Thur 11/20/2014 10:45:00 PM

No idea this was going to be scheduled...It's a meeting with the Acting Deputy Administrator.

Sam is checking with ORIA.

Should we use the pre-brief materials for Ken Koposis (more background and detail) or the briefing material used for Janet McCabe?

Materials are due 4 business days in advance (Nov. 14) for Ken's review.

----Original Appointment-----

From: Meiburg, Stan

Sent: Monday, November 10, 2014 1:11 PM

To: Meiburg, Stan; McCabe, Janet; Flynn, Mike; Edwards, Jonathan; Veal, Lee; DeCair, Sara; Kopocis, Ken; Shapiro, Mike; Grevatt, Peter; Burneson, Eric; Christ, Lisa; Hernandez-Quinones, Samuel

Subject: Proposed Drinking Water Protective Action Guides (PAGs) Discussion

When: Thursday, November 20, 2014 5:00 PM-5:45 PM (UTC-05:00) Eastern Time (US &

Canada).

Where: WJC North 3412

CT: Emily Atkinson, 564-1850

Sct: Elena Richardson

Purpose: Discuss the status of the proposed drinking water protective action guide program

EPA Staff (Required): Janet McCabe, Mike Flynn, Jon Edwards, Lee Veal, Sara DeCair (OAR) Ken Kopocis/Mike Shapiro, Peter Grevatt, Eric Burneson, Lisa Christ, Sam Hernandez-Quinones (OW)

To: Ellis, Jerry[Ellis.Jerry@epa.gov]; Hernandez-Quinones, Samuel[hernandez.samuel@epa.gov]

From: Christ, Lisa

Sent: Mon 11/3/2014 2:34:02 PM

Subject: FW: Material for 11/4 and 11/5 PAG briefings

OW-OAR PAG-brief 10312014 v1.docx

PAGs 101 10-17-2014 v1.ppt

Background on SDWA MCLs for Radionuclides.docx

grg_radionuclides.pdf

OW Protocol August 2014 v 2.docx

Hi Guys,

We need to send the materials to Ken according to the attached protocol. I sent a read ahead on the radionuclides rule to OARIA that may be a helpful reminder for Ken.

Thanks -

Lisa

From: Perrin, Alan

Sent: Friday, October 31, 2014 5:51 PM

To: OAR Briefings

Cc: Flynn, Mike; Burneson, Eric; Edwards, Jonathan; DeCair, Sara; Christ, Lisa; Veal, Lee;

Cherepy, Andrea

Subject: Material for 11/4 and 11/5 PAG briefings

The attached material is for:

- 1) our internal DW PAG pre-brief with Janet McCabe (11/4 at 12:30 pm), and
- 2) the Janet McCabe/Ken Kopocis OW-OAR DW PAG briefing (12/5 at 4:30 pm).

Note that the attached "PAGs 101" file is a very short primer for background reading; the "OW-OAR PAG-brief" file will be the focus at the meetings. Please let me know if you have any questions. –Alan

Alan Perrin, Deputy Director Radiation Protection Division, USEPA ofc (202) 343-9775 | mbl (202) 279-0376 To: Perrin, Alan[Perrin.Alan@epa.gov]

Cc: Hernandez-Quinones, Samuel[hernandez.samuel@epa.gov]; Ellis, Jerry[Ellis.Jerry@epa.gov];

DeCair, Sara[DeCair.Sara@epa.gov]

From: Christ, Lisa

Sent: Mon 11/3/2014 1:59:41 PM

Subject: RE: Material for 11/4 and 11/5 PAG briefings Background on SDWA MCLs for Radionuclides.docx grg_radionuclides.pdf

Also, if it would help as read ahead material, a paragraph on the background on the radionuclides MCLs and a quick reference guide about the regulation are attached.

http://www.epa.gov/ogwdw/radionuclides/pdfs/qrg_radionuclides.pdf

From: Perrin, Alan

Sent: Friday, October 31, 2014 5:51 PM

To: OAR Briefings

Cc: Flynn, Mike; Burneson, Eric; Edwards, Jonathan; DeCair, Sara; Christ, Lisa; Veal, Lee;

Cherepy, Andrea

Subject: Material for 11/4 and 11/5 PAG briefings

The attached material is for:

- 1) our internal DW PAG pre-brief with Janet McCabe (11/4 at 12:30 pm), and
- 2) the Janet McCabe/Ken Kopocis OW-OAR DW PAG briefing (12/5 at 4:30 pm).

Note that the attached "PAGs 101" file is a very short primer for background reading; the "OW-OAR PAG-brief" file will be the focus at the meetings. Please let me know if you have any questions. —Alan

Alan Perrin, Deputy Director Radiation Protection Division, USEPA ofc (202) 343-9775 | mbl (202) 279-0376 To: Perrin, Alan[Perrin.Alan@epa.gov]; OAR Briefings[OAR_Briefings@epa.gov]

Cc: Flynn, Mike[Flynn.Mike@epa.gov]; Burneson, Eric[Burneson.Eric@epa.gov]; Edwards,

Jonathan[Edwards.Jonathan@epa.gov]; DeCair, Sara[DeCair.Sara@epa.gov]; Veal,

Lee[Veal.Lee@epa.gov]; Cherepy, Andrea[Cherepy.Andrea@epa.gov]

From: Christ, Lisa

Sent: Mon 11/3/2014 1:48:09 PM

Subject: RE: Material for 11/4 and 11/5 PAG briefings

Thank you Alan.

From: Perrin, Alan

Sent: Friday, October 31, 2014 5:51 PM

To: OAR Briefings

Cc: Flynn, Mike; Burneson, Eric; Edwards, Jonathan; DeCair, Sara; Christ, Lisa; Veal, Lee;

Cherepy, Andrea

Subject: Material for 11/4 and 11/5 PAG briefings

The attached material is for:

1) our internal DW PAG pre-brief with Janet McCabe (11/4 at 12:30 pm), and

2) the Janet McCabe/Ken Kopocis OW-OAR DW PAG briefing (12/5 at 4:30 pm).

Note that the attached "PAGs 101" file is a very short primer for background reading; the "OW-OAR PAG-brief" file will be the focus at the meetings. Please let me know if you have any questions. —Alan

Alan Perrin, Deputy Director Radiation Protection Division, USEPA ofc (202) 343-9775 | mbl (202) 279-0376

To: Veal, Lee[Veal.Lee@epa.gov]; Hernandez-Quinones, Samuel[Hernandez.Samuel@epa.gov] Ellis, Jerry[Ellis.Jerry@epa.gov] Cc: DeCair, Sara[DeCair.Sara@epa.gov] From: Christ, Lisa Sent: Thur 10/30/2014 8:59:49 PM Subject: RE: Cmt by Wed: Water PAG briefing and PAGs 101
Absolutely – and thanks.
From: Veal, Lee Sent: Thursday, October 30, 2014 3:55 PM To: Christ, Lisa; Hernandez-Quinones, Samuel; Ellis, Jerry Cc: DeCair, Sara Subject: RE: Cmt by Wed: Water PAG briefing and PAGs 101
Hi Lisa,
I cannot imagine sending any AA a package that isn't near perfect, but 10 weeks sounds pretty long.
We should talk about some of the added language. I propose that we get Mike Flynn's comments tomorrow (we're scheduled with him in the morning) and then assess both sets, deal with any conflicts and touch base again on Monday. Does that work for you guys?
Lee
Lee Ann B. Veal
Director, Center for Radiological Emergency Management

Radiation Protection Division, ORIA, OAR

Office: 202-343-9448

Cell: 202-617-4322

www.epa.gov/radiation

From: Christ, Lisa

Sent: Thursday, October 30, 2014 12:28 PM

To: Veal, Lee; Hernandez-Quinones, Samuel; Ellis, Jerry

Cc: DeCair, Sara

Subject: RE: Cmt by Wed: Water PAG briefing and PAGs 101

Hi Lee -

Ken has advised that he will very carefully review all actions of OW and his expectation is that it will be near perfect for his review. Here's our assumptions on OW internal review:

We will want OGC review before OW senior management review

2 weeks: Incorporate comments from Interagency steering committee and OGC

1 week: BC review (I can take less time if needed)

2 weeks: DD review

2 weeks: OD review

3 weeks: AA review

Total = 10 weeks. We may need less time to incorporate comments if they aren't substantial/significant/numerous; Eric and I could potential shorten our review time, but I believe Peter and Ken will want/need at least 2-3 weeks each. Happy to set up a time to chat.

Sorry I've been so hard to reach - I've been swamped with PARS...

Thanks-
Lisa
From: Veal, Lee Sent: Thursday, October 30, 2014 11:43 AM To: Christ, Lisa; Hernandez-Quinones, Samuel; Ellis, Jerry Cc: DeCair, Sara Subject: RE: Cmt by Wed: Water PAG briefing and PAGs 101
Hi Lisa,
I just left a message with you.
I would like to better understand the schedule insert of going back to AAs in early 2015. Are you all thinking that we're going to have substantial changes from the PAGs Subcommittee? Or internally?
If you are thinking about the Subcommittee, we do not expect a lengthy interaction. The PAGs Subcommittee is very unlikely to debate on this issue given that it is water and water is well within our mission space. At most, you might get an editorial comment or, more likely, expressions of gratitude that we have made progress.
The OMB review will certainly get to the leadership structures within the interagency. It is at that point that we could have substantial changes suggested, within that roughly 90 day period.
Lee

Lee Ann B. Veal

Director, Center for Radiological Emergency Management

Radiation Protection Division, ORIA, OAR

Office: 202-343-9448

Cell: 202-617-4322

www.epa.gov/radiation

From: Christ, Lisa

Sent: Wednesday, October 29, 2014 5:17 PM

To: Veal, Lee; Hernandez-Quinones, Samuel; Ellis, Jerry

Cc: DeCair, Sara

Subject: RE: Cmt by Wed: Water PAG briefing and PAGs 101

Hi Lee,

The briefing with Ken yesterday went well. We got feedback from him on the briefing materials. I've attached our comments to Sara's draft based on his input. Let us know if you have questions or concerns or would like to chat to finalize the document..

Thanks!

Lisa

From: Veal, Lee

Sent: Wednesday, October 29, 2014 4:00 PM

To: Christ, Lisa; Hernandez-Quinones, Samuel; Ellis, Jerry

Cc: DeCair, Sara

Subject: RE: Cmt by Wed: Water PAG briefing and PAGs 101

Hi Lisa,

How did the pre-brief go? Any thoughts on how we might improve the content?

Lee

Lee Ann B. Veal

Director, Center for Radiological Emergency Management

Radiation Protection Division, ORIA, OAR

Office: 202-343-9448

Cell: 202-617-4322

www.epa.gov/radiation

From: Christ, Lisa

Sent: Monday, October 27, 2014 3:09 PM

To: DeCair, Sara; Hernandez-Quinones, Samuel; Ellis, Jerry; Veal, Lee; Perrin, Alan; Edwards,

Jonathan

Subject: RE: Cmt by Wed: Water PAG briefing and PAGs 101

Hi Sara –
We're pre-briefing our AA tomorrow, so we can provide any feedback from Ken as well as our comments on your attachments Wednesday, we'll try our best for noon.
Thank you –
Lisa
From: DeCair, Sara Sent: Monday, October 27, 2014 2:31 PM To: Christ, Lisa; Hernandez-Quinones, Samuel; Ellis, Jerry; Veal, Lee; Perrin, Alan; Edwards, Jonathan Subject: Cmt by Wed: Water PAG briefing and PAGs 101
Sam, Lisa,
Since our AA-level briefing was rescheduled to Wed., Nov. 5 th , we have until this Wednesday to get our briefing materials finalized. Can you provide feedback to me by noon on Wednesday? I will have the Water PAG proposed chapter language to you by then, too. It is through editing and I will get it to you as soon as possible for a read-through. Thank you so much for getting back to me on these items!
Talk soon,
Sara
Sara D. DeCair

 $\underline{http://www.epa.gov/radiation/rert/pags.html}$

202-343-9108

new office

Room 1416 B in WJC West

To: Veal, Lee[Veal.Lee@epa.gov]; Hernandez-Quinones, Samuel[Hernandez.Samuel@epa.gov];

Ellis, Jerry[Ellis.Jerry@epa.gov]

Cc: DeCair, Sara[DeCair.Sara@epa.gov]

From: Christ, Lisa

Sent: Thur 10/30/2014 4:28:19 PM

Subject: RE: Cmt by Wed: Water PAG briefing and PAGs 101

Hi Lee -

Ken has advised that he will very carefully review all actions of OW and his expectation is that it will be near perfect for his review. Here's our assumptions on OW internal review:

We will want OGC review before OW senior management review

2 weeks: Incorporate comments from Interagency steering committee and OGC

1 week: BC review (I can take less time if needed)

2 weeks: DD review

2 weeks: OD review

3 weeks: AA review

Total = 10 weeks. We may need less time to incorporate comments if they aren't substantial/significant/numerous; Eric and I could potential shorten our review time, but I believe Peter and Ken will want/need at least 2-3 weeks each. Happy to set up a time to chat.

Sorry I've been so hard to reach – I've been swamped with PARS...

Thanks-

Lisa

From: Veal, Lee

Sent: Thursday, October 30, 2014 11:43 AM

To: Christ, Lisa; Hernandez-Quinones, Samuel; Ellis, Jerry

Cc: DeCair, Sara

Subject: RE: Cmt by Wed: Water PAG briefing and PAGs 101

Hi Lisa, I just left a message with you. I would like to better understand the schedule insert of going back to AAs in early 2015. Are you all thinking that we're going to have substantial changes from the PAGs Subcommittee? Or internally? If you are thinking about the Subcommittee, we do not expect a lengthy interaction. The PAGs Subcommittee is very unlikely to debate on this issue given that it is water and water is well within our mission space. At most, you might get an editorial comment or, more likely, expressions of gratitude that we have made progress. The OMB review will certainly get to the leadership structures within the interagency. It is at that point that we could have substantial changes suggested, within that roughly 90 day period. Lee Lee Ann B. Veal Director, Center for Radiological Emergency Management Radiation Protection Division, ORIA, OAR

Office: 202-343-9448

Cell: 202-617-4322

www.epa.gov/radiation

From: Christ, Lisa

Sent: Wednesday, October 29, 2014 5:17 PM

To: Veal, Lee; Hernandez-Quinones, Samuel; Ellis, Jerry

Cc: DeCair, Sara

Subject: RE: Cmt by Wed: Water PAG briefing and PAGs 101

Hi Lee,

The briefing with Ken yesterday went well. We got feedback from him on the briefing materials. I've attached our comments to Sara's draft based on his input. Let us know if you have questions or concerns or would like to chat to finalize the document..

Thanks!

Lisa

From: Veal, Lee

Sent: Wednesday, October 29, 2014 4:00 PM

To: Christ, Lisa; Hernandez-Quinones, Samuel; Ellis, Jerry

Cc: DeCair, Sara

Subject: RE: Cmt by Wed: Water PAG briefing and PAGs 101

Hi Lisa,

How did the pre-brief go? Any thoughts on how we might improve the content?

Lee

Lee Ann B. Veal

Director, Center for Radiological Emergency Management

Radiation Protection Division, ORIA, OAR

Office: 202-343-9448

Cell: 202-617-4322

www.epa.gov/radiation

From: Christ, Lisa

Sent: Monday, October 27, 2014 3:09 PM

To: DeCair, Sara; Hernandez-Quinones, Samuel; Ellis, Jerry; Veal, Lee; Perrin, Alan; Edwards,

Jonathan

Subject: RE: Cmt by Wed: Water PAG briefing and PAGs 101

Hi Sara -

We're pre-briefing our AA tomorrow, so we can provide any feedback from Ken as well as our comments on your attachments Wednesday, we'll try our best for noon.

Thank you -

Lisa

From: DeCair, Sara

Sent: Monday, October 27, 2014 2:31 PM

To: Christ, Lisa; Hernandez-Quinones, Samuel; Ellis, Jerry; Veal, Lee; Perrin, Alan; Edwards,

Jonathan

Subject: Cmt by Wed: Water PAG briefing and PAGs 101

Sam, Lisa,

Since our AA-level briefing was rescheduled to Wed., Nov. 5th, we have until this Wednesday to get our briefing materials finalized. Can you provide feedback to me by noon on Wednesday? I will have the Water PAG proposed chapter language to you by then, too. It is through editing and I will get it to you as soon as possible for a read-through. Thank you so much for getting back to me on these items!

Talk soon,

Sara

Sara D. DeCair

http://www.epa.gov/radiation/rert/pags.html

202-343-9108

new office

Room 1416 B in WJC West

To: Veal, Lee[Veal.Lee@epa.gov]; Hernandez-Quinones, Samuel[Hernandez.Samuel@epa.gov]; Ellis, Jerry[Ellis.Jerry@epa.gov] Cc: DeCair, Sara[DeCair.Sara@epa.gov] From: Christ, Lisa Sent: Wed 10/29/2014 9:16:47 PM Subject: RE: Cmt by Wed: Water PAG briefing and PAGs 101 Joint AAs Briefing 10-29-2014 SHQ LC.docx
Hi Lee,
The briefing with Ken yesterday went well. We got feedback from him on the briefing materials. I've attached our comments to Sara's draft based on his input. Let us know if you have questions or concerns or would like to chat to finalize the document
Thanks!
Lisa
From: Veal, Lee Sent: Wednesday, October 29, 2014 4:00 PM To: Christ, Lisa; Hernandez-Quinones, Samuel; Ellis, Jerry Cc: DeCair, Sara Subject: RE: Cmt by Wed: Water PAG briefing and PAGs 101 Hi Lisa,
How did the pre-brief go? Any thoughts on how we might improve the content?
Lee
Lee Ann B. Veal

Director, Center for Radiological Emergency Management

Radiation Protection Division, ORIA, OAR

Office: 202-343-9448

Cell: 202-617-4322

www.epa.gov/radiation

From: Christ, Lisa

Sent: Monday, October 27, 2014 3:09 PM

To: DeCair, Sara; Hernandez-Quinones, Samuel; Ellis, Jerry; Veal, Lee; Perrin, Alan; Edwards,

Jonathan

Subject: RE: Cmt by Wed: Water PAG briefing and PAGs 101

Hi Sara -

We're pre-briefing our AA tomorrow, so we can provide any feedback from Ken as well as our comments on your attachments Wednesday, we'll try our best for noon.

Thank you -

Lisa

From: DeCair, Sara

Sent: Monday, October 27, 2014 2:31 PM

To: Christ, Lisa; Hernandez-Quinones, Samuel; Ellis, Jerry; Veal, Lee; Perrin, Alan; Edwards,

Jonathan

Subject: Cmt by Wed: Water PAG briefing and PAGs 101

Since our AA-level briefing was rescheduled to Wed., Nov. 5th, we have until this Wednesday to get our briefing materials finalized. Can you provide feedback to me by noon on Wednesday? I will have the Water PAG proposed chapter language to you by then, too. It is through editing and I will get it to you as soon as possible for a read-through. Thank you so much for getting back to me on these items!

Talk soon,

Sara

Sara D. DeCair

http://www.epa.gov/radiation/rert/pags.html

202-343-9108

new office

Room 1416 B in WJC West

Sam, Lisa,

To: Hernandez-Quinones, Samuel[hernandez.samuel@epa.gov]; Ellis, Jerry[Ellis.Jerry@epa.gov]

From: Christ, Lisa

Sent: Wed 10/29/2014 2:14:43 PM

Subject: FW: New drinking water PAG chapter for your review

Draft Chapter Drinking Water PAG 10-28-2014.docx

Hello -

Please have your comments to me by 3pm today and I'll add my comments to yours. I'd like to get comments back to Sara COB today if possible.

Thanks-

Lisa

From: DeCair, Sara

Sent: Tuesday, October 28, 2014 1:27 PM

To: Hernandez-Quinones, Samuel; Ellis, Jerry; Christ, Lisa; Veal, Lee; Perrin, Alan; Edwards,

Jonathan; Nesky, Anthony

Subject: New drinking water PAG chapter for your review

All;

This has been through Tony's editing and Alan's review in our office and is ready for review by our colleagues in Water. I left a few of the comments in for your consideration. Please take your time to evaluate the order and content here, and if you would, provide feedback to me in the form of comments or redline/strikeout. If you let me know when you'll be done with this round of review, I can update my PAGs project plan accordingly. Thank you,

Sara

Sara D. DeCair

http://www.epa.gov/radiation/rert/pags.html

202-343-9108

new office

Room 1416 B in WJC West

To: Penman, Crystal[Penman.Crystal@epa.gov]

Cc: Mason, Paula[Mason.Paula@epa.gov]; Lousberg, Macara[Lousberg.Macara@epa.gov]; Lopez-

Carbo, Maria[Lopez-Carbo.Maria@epa.gov]

From: Christ, Lisa

Sent: Mon 10/27/2014 6:45:37 PM

[Untitled].pdf

V4 -KKopocis Pre-Brief Materials DW PAG egb.doc

From: Kopocis, Ken

To: Kopocis, Ken; Christ, Lisa; Burneson, Eric; Grevatt, Peter

Cc: Ellis, Jerry; Hernandez-Quinones, Samuel

Subject: Protective Action Guide (PAG) for Drinking Water- Radiation Incidents

When: Tuesday, October 28, 2014 11:15 AM-12:15 PM (UTC-05:00) Eastern Time (US &

Canada).

Where: 3233 WJC-E

Briefing Request & Materials Attached

To: Burneson, Eric[burneson.eric@epa.gov]

Cc: Hernandez-Quinones, Samuel[hernandez.samuel@epa.gov]; Ellis, Jerry[Ellis.Jerry@epa.gov]

From: Christ, Lisa

Sent: Mon 10/27/2014 1:10:32 PM

Subject: draft Rads PAG pre-brief for Ken K. - due at 3pm

Rads PAG Prebrief for Ken K.docx

Hi Eric,

Sorry for the delay. The attached version has formatting issues, which we'll fix it while you're reviewing.

Thanks-

Lisa

Lisa Christ, Chief

Targeting and Analysis Branch

Office of Ground Water and Drinking Water

USEPA

1200 Pennsylvania Ave NW Washington, DC 20460-0001 phone: 202.564.8354 fax: 202.564-3760

Mail Code: 4607M

To: Hernandez-Quinones, Samuel[hernandez.samuel@epa.gov]

Cc: Ellis, Jerry[Ellis.Jerry@epa.gov]

From: Christ, Lisa

Sent: Fri 10/17/2014 6:31:36 PM

Subject: FW: PAGs 101 for your review, intended as read-ahead for AA level briefing

PAGs 101 10-17-2014.ppt

Joint AAs Briefing 10-16-2014 draft lc.docx

Hi Sam,

Attached are my comments on the briefing paper. Please consolidate our comments when you send the paper back to Sara.

I only had minor edits on slide 11 of the PAGs 101 ppt.

Slide 11:

Add "draft' to the title [2013 Draft Revised PAG Manual]

Spell out RDD and IND - Ken may not be familiar with these acronyms

Thanks-

Lisa

From: DeCair, Sara

Sent: Friday, October 17, 2014 1:09 PM

To: Christ, Lisa; Hernandez-Quinones, Samuel **Cc:** Veal, Lee; Perrin, Alan; Edwards, Jonathan

Subject: PAGs 101 for your review, intended as read-ahead for AA level briefing

Lisa, Sam,

We've added more content to this PAGs 101 briefing from past discussions with leadership, and I hope you'll review it from Ken's perspective so that we can add more details or explanation where needed. Knowing that we are going to provide this as a read-ahead, rather than necessarily

get to go through it in the Oct. 30 meeting, it does need to stand alone. But -- we could consider running through this first to lay the ground work, and then go to our drinking water PAG briefing document. That would be pretty difficult to do in the allotted time, though, and have discussion.

Interested in thoughts from everyone on this, so we can get it finalized to send up as read-aheads by Friday, Oct. 24th. Thanks so much!

Sara

Sara D. DeCair

http://www.epa.gov/radiation/rert/pags.html

202-343-9108

new office

Room 1416 B in WJC West

To: Ellis, Jerry[Ellis.Jerry@epa.gov]

From: Christ, Lisa

Sent: Mon 10/6/2014 8:54:59 PM

Subject: FW: Water briefing: new version for your input

Joint Briefing 10-6-2014.docx

fyi

From: DeCair, Sara

Sent: Monday, October 06, 2014 11:25 AM

To: Hernandez-Quinones, Samuel; Christ, Lisa; Veal, Lee; Perrin, Alan

Subject: Water briefing: new version for your input

Sam, Lisa,

Our briefing with ODs is in a week and we'll want to provide the read-ahead materials no later than Friday morning. Do you want to sit down Tuesday or Wednesday to go over the PAG 101 material together? Please provide your input on this briefing by COB Thursday, if you would, and of course, call or email anytime if you need me. Thank you!

Sara

To: Hernandez-Quinones, Samuel[hernandez.samuel@epa.gov]

From: Christ, Lisa

Sent: Tue 9/23/2014 2:30:25 PM Rads PAG Joint Briefing DDs.docx

Lisa Christ, Chief

Targeting and Analysis Branch

Office of Ground Water and Drinking Water

USEPA

1200 Pennsylvania Ave NW Washington, DC 20460-0001 phone: 202.564.8354 fax: 202.564-3760

Mail Code: 4607M

To: Burneson, Eric[Burneson.Eric@epa.gov]

From: Christ, Lisa

Mon 4/22/2013 5:11:35 PM Sent:

Subject: FW: TPs for Eric on the Rads PAG 080509LetterToEPA.pdf

Grp Ltr to EPA on Rad Issues 8-15-11.pdf

Eric,

FYI -- Attached are letters from enviro groups asking to meet with Bob P. re: previous versions of Rads PAG Manual.

To: Burneson, Eric[Burneson.Eric@epa.gov]

From: Christ, Lisa

Sent: Wed 2/27/2013 10:43:01 PM Subject: bullets for OW staff meeting

OGWDW is addressing final OMB drinking water related comments on the draft *PAG Manual: Protective Action Guides and Planning Guidance for Radiological Incidents.*ORIA expects to have all OMB comments addressed next week. ORIA will transmit the revised draft PAG Manual to OMB for release for public comment. EPA is seeking public comment on an approach and technical rationale for a drinking water PAG designed to help officials select protective actions under emergency conditions when exposures would occur over shorter time periods than those envisioned in the NPDWR.

Lisa Christ, Associate Chief

Targeting and Analysis Branch

Office of Ground Water and Drinking Water

USEPA

1200 Pennsylvania Ave NW Washington, DC 20460-0001 phone: 202.564.8354 fax: 202.564-3760

Mail Code: 4607M

To: Grevatt, Peter[Grevatt.Peter@epa.gov]; Oshida, Phil[Oshida.Phil@epa.gov]; Burneson,

Eric[Burneson.Eric@epa.gov]

Cc: Lopez-Carbo, Maria[Lopez-Carbo.Maria@epa.gov]; Hernandez-Quinones, Samuel[Hernandez.Samuel@epa.gov]; Burneson, Eric[Burneson.Eric@epa.gov]

From: Christ, Lisa

Sent: Fri 3/1/2013 3:12:50 PM **Subject:** RE: Revised PAG Manual

Peter,

We have reviewed the revised document and for the purposes of our program, do not have any comments and/or concerns.

OMB made a few editorial changes to paragraphs related to drinking water, however, the revisions do not change the OWGDW position discussed with the Office of Air. OGWDW agreed to seek public comment on an approach and technical rationale for a drinking water PAG designed to help officials select protective actions under emergency conditions when exposures would occur over shorter time periods than those envisioned in the NPDWR.

I recommend that we concur with OMB's suggested revisions.

Lisa

From: Grevatt, Peter

Sent: Thursday, February 28, 2013 9:57 AM **To:** Oshida, Phil; Burneson, Eric; Christ, Lisa

Cc: Lopez-Carbo, Maria

Subject: Fw: Revised PAG Manual

FYI. It will be good if we can touch base on this at the beginning of next week to go over any concerns you may want me to convey. Thanks.

From: Flynn, Mike

Sent: Thursday, February 28, 2013 9:26:10 AM

To: Dietrich, Debbie; Tulis, Dana; Johnson, Barnes; Grevatt, Peter; Lynch, Mary-Kay; Schmidt, Lorie **Cc:** Michaud, John; Stahle, Susan; Edwards, Jonathan; Veal, Lee; DeCair, Sara; Duncan, Anna

Subject: Revised PAG Manual

All,

Attached is a revised version of the PAG Manual addressing OMB's latest comments. In addition to the comments we forwarded earlier this week (attached), we received a few more comments on the Waste Disposal Section which we've addressed in this latest revised manual. Please review this mark-up to identify any potential show-stoppers for your office. We will be following up with each of you shortly. We would like to get back to OMB asap so hopefully this "ship can sail" soon. Thanks for continued help, Mike

From: Flynn, Mike

Sent: Monday, February 25, 2013 12:59 PM

To: Dietrich, Debbie; Tulis, Dana; Johnson, Barnes; Grevatt, Peter; Lynch, Mary-Kay; Schmidt, Lorie **Cc:** Michaud, John; Stahle, Susan; Edwards, Jonathan; Veal, Lee; DeCair, Sara; Duncan, Anna

Subject: PAG Manual

Colleagues,

Attached are comments we recently received from OMB on the Protective Action Guides revision. You'll see that the suggestions are very minor – mostly editorial. Please take a look and I'll reach out to you in the next week or so. Apparently, there are a couple more comments from OMB headed our way, so once we have those, we'll do a cleaned-up redline version for you to guickly check before we go back to OMB.

As with our last iteration this past November, this document is very "close hold." We ask that you do not distribute it at this time.

Thank you so much for your support, Mike

Mike Flynn

Director

Office of Radiation & Indoor Air

202-343-9356

To: Grevatt, Peter[Grevatt.Peter@epa.gov]

Cc: Burneson, Eric[Burneson.Eric@epa.gov]; Lopez-Carbo, Maria[Lopez-Carbo.Maria@epa.gov];

Hernandez-Quinones, Samuel[Hernandez.Samuel@epa.gov]

From: Christ, Lisa

Sent: Thur 4/4/2013 5:40:49 PM

Subject: RE: PAGs Manual - revised Qs and As

Hi Peter,

The language used for the drinking water Q&A is consistent with the language we agreed to include in the draft PAG Manuel which will go out for public comment soon. I am comfortable with the Q&As.

Lisa

From: Grevatt, Peter

Sent: Thursday, April 04, 2013 12:07 PM

To: Christ, Lisa

Cc: Burneson, Eric; Lopez-Carbo, Maria

Subject: FW: PAGs Manual - revised Qs and As

Lisa, can you please take a look at what they have for DW and let me know if we have and changes to recommend? Mike indicated that this could go forward before the end of the week, though specific timing is still uncertain. Thanks, P.G.

From: Flynn, Mike

Sent: Thursday, April 04, 2013 12:05 PM

To: Dietrich, Debbie; Tulis, Dana; Johnson, Barnes; Grevatt, Peter; Lynch, Mary-Kay; Rudzinski,

Suzanne; Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Cc: Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; Christ, Lisa; Elliott, Ross;

McMichael, Nate

Subject: PAGs Manual - revised Qs and As

All,

As a follow-up to our call yesterday, attached are revised Qs and As on the revised PAGs Manual. We've refined some of the answers, and you will note that we've added "key points" after the answers on a few of the questions to highlight the key points in the answer. Please review and let us know if you have any final comments by COB today. FYI the PAGs package was signed by Gina M a bit earlier

today and it's on the way to the Administrator's office. We understand that the package may be signed later today.

FYI OAR's communications folks have been working tor refine the press materials (desk statement, etc), coordinating with your coms folks. We will send around materials when they are complete so you have them.

Call or email if you have questions.

thanks again for continuing help, Mike

From: Flynn, Mike

Sent: Wednesday, April 03, 2013 6:04 PM

To: Flynn, Mike

Subject: FW: PAG Manual - for tomorrow's conf call

Dietrich, Debbie; Tulis, Dana; Johnson, Barnes; Grevatt, Peter; Lynch, Mary-Kay; Rudzinski, Suzanne; Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; McMichael, Nate

Mike Flynn, Director

Office of Radiation & Indoor Air

U.S. EPA

202-343-9356

From: Flynn, Mike

Sent: Tuesday, April 02, 2013 7:16 PM

To: Dietrich, Debbie; Tulis, Dana; Johnson, Barnes; Grevatt, Peter; Lynch, Mary-Kay; Rudzinski,

Suzanne; Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Cc: Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; McMichael, Nate

Subject: PAG Manual - for tomorrow's conf call

All,

We have a call scheduled tomorrow (Wed) at 2pm to provide you the latest on the PAG Manual and to discuss communications. Attached for our discussion is a preliminary draft of Q's and A's that we need your help on refining (and adding to). Our goal is to make sure we're all are 'on the same page' in responding to questions when the manual is released.

Some of you had conflicts and cannot make our call tomorrow – we will follow-up separately with you.

Thanks, Mike

Mike Flynn, Director

Office of Radiation & Indoor Air

U.S. EPA

202-343-9356

To: Lopez-Carbo, Maria[Lopez-Carbo.Maria@epa.gov]

Cc: Hernandez-Quinones, Samuel[Hernandez.Samuel@epa.gov]

From: Christ, Lisa

Sent: Tue 4/9/2013 4:58:54 PM Subject: FW: PAG Manual is out!! PAGFactSheet4-5-2013-FINAL.pdf

Hi Maria – FYI only is an attached FS on the draft PAG out for comment. It may be helpful if we or OW get questions.

From: DeCair, Sara

Sent: Friday, April 05, 2013 5:01 PM

To: Andrew.Wallo@eh.doe.gov; Ansari, Armin (CDC/CCEHIP/NCEH); Carlos.Corredor@Hq.Doe.Gov; Christ, Lisa; Darrell Liles; Dawson, Helen; Edward.Regnier@hq.doe.gov; Ferris.John@dol.gov; Hernandez-Quinones, Samuel; Hudson, Scott; Jensen, JohnT; john.mackinney@dhs.gov; kzirbel@endyna.com; lodwick.jeffrey@dol.gov; Major James Ross; Manuel.Aponte@osd.mil; Miller, Charles W. (CDC/CCEHIP/NCEH); Noska, Mike (FDA); Patricia.Milligan@nrc.gov; Quinn, Vanessa; ricardo.a.reyes@us.army.mil; Schumann, Jean; siddhanti@endyna.com; Terry Kraus; Veal, Lee; Walker, Stuart; william.cunningham@nist.gov

Cc: Veal, Lee

Subject: PAG Manual is out!!

PAGs Subcommittee,

EPA has just released the "Protective Action Guides and Planning Guidance for Radiological Incidents" (PAG Manual). The proposal will be published officially in the Federal Register in the coming week or so, and we've put a copy on our website if you'd like to see it sooner. (http://www.epa.gov/radiation/rert/pags.html)

Attached is a fact sheet that might be useful for you and your colleagues. We will be taking comment on the guide for 90 days from the date of publication in the Federal Register, so please plan to roll up your sleeves and get busy adjudicating those later this summer.

Sara

Sara D. DeCair, Health Physicist

EPA's Center for Radiological Emergency Management

202-343-9108

To: Burneson, Eric[Burneson.Eric@epa.gov]; Oshida, Phil[Oshida.Phil@epa.gov]

Cc: Schuck, Tracey[Schuck.Tracey@epa.gov]

From: Christ, Lisa

Fri 4/5/2013 6:46:30 PM Sent:

Subject: RE: For the call at 3 pm re PAGs

Yep - I planned to

----Original Message--From: Burneson, Eric

Sent: Friday, April 05, 2013 2:46 PM To: Christ, Lisa; Oshida, Phil

Cc: Schuck, Tracey

Subject: Fw: For the call at 3 pm re PAGs

Can Lisa listen in?

From: Lewis, Josh

Sent: Friday, April 05, 2013 6:42:42 PM

To: Lewis, Josh; Grevatt, Peter; Flynn, Mike; Levine, Carolyn; Edwards, Jonathan; Deitz, Randy; Tulis,

Dana: Dietrich, Debbie: Johnson, Barnes

Cc: Duncan, Anna; Mackay, Cheryl; Burneson, Eric; Lopez-Carbo, Maria

Subject: For the call at 3 pm re PAGs

Appreciate folks making the time on short notice for the call. In addition to Markey's staff, we'll also have Josh Batkin from Senator Boxer's staff on the phone.

Barnes/Randy: are either of you available? Josh is likely going to have Superfund-related questions.

Josh

----Original Message----

From: Lewis, Josh

Sent: Friday, April 05, 2013 1:37 PM

To: Grevatt, Peter; Flynn, Mike; Levine, Carolyn; Edwards, Jonathan; Deitz, Randy; Tulis, Dana; Dietrich,

Debbie: Johnson, Barnes

Cc: Duncan, Anna; Mackay, Cheryl; Burneson, Eric; Lopez-Carbo, Maria

Subject: Heads up: Possibility of PAG call with Congressman Markey's staff - TODAY at 3 pm (time may

shift)

As you may all have heard by now, PAGs will be signed and posted today. I'd like to try and do a call today at 3 pm w/ Michal Freedhoff and Avenel Joseph on Markey's staff. I'm waiting on confirmation from them...once I hear back I'll send out a scheduler w/ the exact time and call in #

Josh Lewis

EPA/Office of Congressional and Intergovernmental Relations

Desk: 202 564 2095 Cell: 202 329 2291

----Original Message----From: Grevatt, Peter

Sent: Thursday, April 04, 2013 6:39 PM

To: Flynn, Mike; Levine, Carolyn; Edwards, Jonathan; Deitz, Randy; Tulis, Dana; Dietrich, Debbie;

Johnson, Barnes

Cc: Duncan, Anna; Lewis, Josh; Mackay, Cheryl; Burneson, Eric; Lopez-Carbo, Maria Subject: Re: Congressman Markey staff request re: Radiation Protection Action Guides

We can have someone listen in, but we are fine to stay in the background.

From: Flynn, Mike

Sent: Thursday, April 04, 2013 6:12:34 PM

To: Levine, Carolyn; Edwards, Jonathan; Deitz, Randy; Tulis, Dana; Dietrich, Debbie; Johnson, Barnes;

Grevatt. Peter

Cc: Duncan, Anna; Lewis, Josh; Mackay, Cheryl

Subject: RE: Congressman Markey staff request re: Radiation Protection Action Guides

Carolyn, We spoke with Peter Grevatt today and he said he was OK with not being involved in this briefing. (Peter - certainly chime in if I got that wrong).

Mike

Mike Flynn, Director Office of Radiation & Indoor Air U.S. EPA 202-343-9356

----Original Message-----From: Levine, Carolyn

Sent: Thursday, April 04, 2013 5:45 PM

To: Edwards, Jonathan; Deitz, Randy; Tulis, Dana; Flynn, Mike; Dietrich, Debbie; Johnson, Barnes

Cc: Duncan, Anna; Lewis, Josh; Mackay, Cheryl

Subject: RE: Congressman Markey staff request re: Radiation Protection Action Guides

Thanks everyone. We will keep you updated on scheduling. Does OW need to be included?

Carolyn Levine Office of Congressional Affairs U.S. EPA (202) 564-1859

----Original Message-----From: Edwards, Jonathan

Sent: Thursday, April 04, 2013 5:43 PM

To: Levine, Carolyn; Deitz, Randy; Tulis, Dana; Flynn, Mike; Dietrich, Debbie; Johnson, Barnes

Cc: Duncan, Anna; Lewis, Josh; Mackay, Cheryl

Subject: RE: Congressman Markey staff request re: Radiation Protection Action Guides

Carolyn -- I'm in tomorrow and next week. Thanks, Jon

----Original Message-----From: Levine, Carolyn

Sent: Thursday, April 04, 2013 3:30 PM

To: Deitz, Randy; Tulis, Dana; Flynn, Mike; Dietrich, Debbie; Johnson, Barnes

Cc: Edwards, Jonathan; Duncan, Anna; Lewis, Josh; Mackay, Cheryl

Subject: RE: Congressman Markey staff request re: Radiation Protection Action Guides

Hi all,

It sounds like the PAGs will be issued very soon.

Please let me/Josh/Cheryl know availability from your office (OSRTI, OEM, ORIA, OHS) for a phone briefing with Congressman Markey's staff for Friday (if issued) or early next week. Thanks

Carolyn Levine
Office of Congressional Affairs
U.S. EPA
(202) 564-1859

----Original Message-----From: Levine, Carolyn

Sent: Tuesday, April 02, 2013 12:57 PM

To: Deitz, Randy; Tulis, Dana; Flynn, Mike; Dietrich, Debbie; Johnson, Barnes

Cc: Edwards, Jonathan; Duncan, Anna

Subject: Congressman Markey staff request re: Radiation Protection Action Guides

Hi everyone,

I understand that the draft guidelines package is expected to be signed sometime this week, and that OAR may be working with OEA on a desk statement for this week? If anyone has any info. on the expected timing for either, please let me know. We cannot schedule a call in advance of releasing the draft guidelines, but given the number of offices involved, I would like to try to get folks lined up.

Carolyn Levine Office of Congressional Affairs U.S. EPA (202) 564-1859

----Original Message-----From: Deitz, Randy

Sent: Tuesday, April 02, 2013 12:33 PM

To: Tulis, Dana; Flynn, Mike; Dietrich, Debbie; Johnson, Barnes Cc: Edwards, Jonathan; Duncan, Anna; Levine, Carolyn

Subject: RE: Radiation Protection Action Guides

Yes Dana, OCIR has reached out to both OAR and OSWER offices to participate in a conference call with House Energy and Commerce Committee minority/Rep. Markey staff to discuss PAGs status.

----Original Message-----From: Tulis, Dana

Sent: Tuesday, April 02, 2013 11:51 AM

To: Flynn, Mike; Dietrich, Debbie; Johnson, Barnes

Cc: Edwards, Jonathan; Duncan, Anna; Deitz, Randy; Levine, Carolyn

Subject: RE: Radiation Protection Action Guides

Please let us know, I can be available from the OEM perspective. Thanks

----Original Message-----From: Flynn, Mike

Sent: Tuesday, April 02, 2013 11:42 AM

To: Dietrich, Debbie; Tulis, Dana; Johnson, Barnes

Cc: Edwards, Jonathan; Duncan, Anna

Subject: FW: Radiation Protection Action Guides

Debbie/Dana/Barnes,

Heads up- we got a request late yesterday from Markey's staff for a PAG update. We haven't gotten back to OCIR yet - we'll be in touch to coordinate.

Mike

Mike Flynn, Director Office of Radiation & Indoor Air U.S. EPA 202-343-9356

-----Original Message-----From: Lubetsky, Jonathan

Sent: Monday, April 01, 2013 5:05 PM

To: Duncan, Anna

Subject: FW: Radiation Protection Action Guides

Should someone from ORIA participate? If so, who would be the right person.

From: Mackay, Cheryl

Sent: Monday, April 01, 2013 4:47 PM

To: Lubetsky, Jonathan

Subject: FW: Radiation Protection Action Guides

Hey Jonathan, Do you know who the right point of contact in ORIA would be on this? Thanks.

From: Levine, Carolyn

Sent: Monday, April 01, 2013 4:36 PM To: Lewis, Josh; Mackay, Cheryl

Subject: FW: Radiation Protection Action Guides

Hi Josh and Cheryl,

See Avenel's request below. This might mostly be OSWER, but I know ORIA did a prior briefing on this. We should talk about how to respond. In the meantime, she asked for a call this Wednesday or Thursday. I'm checking with OSWER, but can you let me know if ORIA should participate too?

Carolyn Levine

Office of Congressional Affairs

U.S. EPA

(202) 564-1859

From: Joseph, Avenel [mailto:Avenel.Joseph@mail.house.gov]

Sent: Monday, April 01, 2013 3:53 PM

To: Levine, Carolyn

Subject: Radiation Protection Action Guides

Hi Carolyn,

I wanted to check in on this article and more generally about where things stand with the radiation cleanup standard. I think last time we talked on this was back in early 2012, could we schedule another phone briefing to get an update on where things are?

Thank you,

Avenel

http://www.nti.org/gsn/article/white-house-backs-rollback-cleanup-standards-nuclear-incidents/

Avenel Joseph, M.S., Ph.D.
Office of Representative Edward J. Markey (MA-05)
2108 Rayburn House Office Building
Washington, DC 20515
202-225-2836

Follow Rep. Markey on Face book http://www.facebook.com/EdJMarkey, YouTube http://www.youtube.com/user/RepMarkey, and Twitter http://twitter.com/markeymemo Sign up for Rep. Markey's e-newsletter at http://markey.house.gov/signup

To: Johnson, Barnes[Johnson.Barnes@epa.gov]; Flynn, Mike[Flynn.Mike@epa.gov]; Dietrich,

Debbie[Dietrich.Debbie@epa.gov]; Tulis, Dana[Tulis.Dana@epa.gov]; Grevatt,

Peter[Grevatt.Peter@epa.gov]; Lynch, Mary-Kay[Lynch.Mary-Kay@epa.gov]; Rudzinski,

Suzanne[rudzinski.suzanne@epa.gov]; Schmidt, Lorie[Schmidt.Lorie@epa.gov]; Michaud,

John[Michaud.John@epa.gov]; Devlin, Betsy[Devlin.Betsy@epa.gov]; Stahle,

Susan[Stahle.Susan@epa.gov]

Cc: Duncan, Anna[Duncan.Anna@epa.gov]; Millett, John[Millett.John@epa.gov]; Edwards,

Jonathan[Edwards.Jonathan@epa.gov]; Veal, Lee[Veal.Lee@epa.gov]; DeCair,

Sara[DeCair.Sara@epa.gov]; Elliott, Ross[Elliott.Ross@epa.gov]; McMichael,

Nate[McMichael.Nate@epa.gov]; Woolford, James[Woolford.James@epa.gov]; Clark,

Becki[Clark.Becki@epa.gov]; Dawson, Helen[Dawson.Helen@epa.gov]; Walker,

Stuart[Walker.Stuart@epa.gov]

From: Christ, Lisa

Sent: Thur 4/4/2013 8:40:25 PM

Subject: RE: PAGs Manual - revised Qs and As

I reviewed the small edit to question 7 in the drinking water section on behalf of OGWDW. I am comfortable with the edit.

Thanks -

Lisa

From: Johnson, Barnes

Sent: Thursday, April 04, 2013 2:50 PM

To: Johnson, Barnes; Flynn, Mike; Dietrich, Debbie; Tulis, Dana; Grevatt, Peter; Lynch, Mary-Kay;

Rudzinski, Suzanne; Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Cc: Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; Christ, Lisa; Elliott, Ross;

McMichael, Nate; Woolford, James; Clark, Becki; Dawson, Helen; Walker, Stuart

Subject: RE: PAGs Manual - revised Qs and As

Forgot the attachment

Barnes Johnson

USEPA | Superfund | Tel 703-347-8758 | johnson.barnes@epa.gov

From: Johnson, Barnes

Sent: Thursday, April 04, 2013 2:49 PM

To: Flynn, Mike; Dietrich, Debbie; Tulis, Dana; Grevatt, Peter; Lynch, Mary-Kay; Rudzinski, Suzanne; Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Cc: Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; Christ, Lisa; Elliott, Ross;

McMichael, Nate; Woolford, James; Clark, Becki; Dawson, Helen; Walker, Stuart

Subject: RE: PAGs Manual - revised Qs and As

Mike/Jon,

I had just a couple of suggestions. Also Peter – check out my one comment in the drinking water area – it didn't sound quite right to me and I proposed a very small edit. Otherwise this looks fine to me.

Barnes Johnson

USEPA | Superfund | Tel 703-347-8758 | johnson.barnes@epa.gov

From: Flynn, Mike

Sent: Thursday, April 04, 2013 12:05 PM

To: Dietrich, Debbie; Tulis, Dana; Johnson, Barnes; Grevatt, Peter; Lynch, Mary-Kay; Rudzinski,

Suzanne; Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Cc: Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; Christ, Lisa; Elliott, Ross;

McMichael, Nate

Subject: PAGs Manual - revised Qs and As

All,

As a follow-up to our call yesterday, attached are revised Qs and As on the revised PAGs Manual. We've refined some of the answers, and you will note that we've added "key points" after the answers on a few of the questions to highlight the key points in the answer. Please review and let us know if you have any final comments by COB today. FYI the PAGs package was signed by Gina M a bit earlier today and it's on the way to the Administrator's office. We understand that the package may be signed later today.

FYI OAR's communications folks have been working tor refine the press materials (desk statement, etc), coordinating with your coms folks. We will send around materials when they are complete so you have them.

Call or email if you have questions.

thanks again for continuing help, Mike

From: Flynn, Mike

Sent: Wednesday, April 03, 2013 6:04 PM

To: Flynn, Mike

Subject: FW: PAG Manual - for tomorrow's conf call

Dietrich, Debbie; Tulis, Dana; Johnson, Barnes; Grevatt, Peter; Lynch, Mary-Kay; Rudzinski, Suzanne; Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; McMichael, Nate

Mike Flynn, Director

Office of Radiation & Indoor Air

U.S. EPA

202-343-9356

From: Flynn, Mike

Sent: Tuesday, April 02, 2013 7:16 PM

To: Dietrich, Debbie; Tulis, Dana; Johnson, Barnes; Grevatt, Peter; Lynch, Mary-Kay; Rudzinski,

Suzanne; Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Cc: Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; McMichael, Nate

Subject: PAG Manual - for tomorrow's conf call

All,

We have a call scheduled tomorrow (Wed) at 2pm to provide you the latest on the PAG Manual and to discuss communications. Attached for our discussion is a preliminary draft of Q's and A's that we need your help on refining (and adding to). Our goal is to make sure we're all are 'on the same page' in responding to questions when the manual is released.

Some of you had conflicts and cannot make our call tomorrow – we will follow-up separately with you.
Thanks, Mike
Mike Flynn, Director
Office of Radiation & Indoor Air
U.S. EPA
202-343-9356

To: Lopez-Carbo, Maria[Lopez-Carbo.Maria@epa.gov]

Cc: Oshida, Phil[Oshida.Phil@epa.gov]; Burneson, Eric[Burneson.Eric@epa.gov]

From: Christ, Lisa

Sent: Fri 4/5/2013 7:24:44 PM

Subject: RE: PAGs Manual - revised Qs and As

Per ORIA they are not doing any press release around posting the PAG, I'm just anticipating someone may see it and ask questions...

From: Lopez-Carbo, Maria

Sent: Friday, April 05, 2013 3:14 PM

To: Christ, Lisa

Subject: Re: PAGs Manual - revised Qs and As

Thanks Lisa.

From: Christ, Lisa

Sent: Friday, April 05, 2013 3:10:01 PM

To: Lopez-Carbo, Maria

Subject: FW: PAGs Manual - revised Qs and As

Hi Maria,

I've just heard that ORIA is planning to post the draft PAG Manual on the web for public comment today. We are likely to get some questions on the drinking water PAG (or lack of). Attached is an internal Q&A that we have reviewed and okayed. There was only one very small dw edit which OGWDW was fine with. I will prepare a short desk statement that can be used with the Q&A in case it's needed. Let me know what else may be needed.

Lisa

From: Tulis, Dana

Sent: Thursday, April 04, 2013 6:06 PM

To: Dietrich, Debbie; Johnson, Barnes; Flynn, Mike; Grevatt, Peter; Lynch, Mary-Kay; Rudzinski,

Suzanne; Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Cc: Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; Christ, Lisa; Elliott, Ross;

McMichael, Nate; Woolford, James; Clark, Becki; Dawson, Helen; Walker, Stuart

Subject: RE: PAGs Manual - revised Qs and As

Here are my comments, on top of the rest, we do have some differences we may need to chat

From: Dietrich, Debbie

Sent: Thursday, April 04, 2013 5:03 PM

To: Dietrich, Debbie; Johnson, Barnes; Flynn, Mike; Tulis, Dana; Grevatt, Peter; Lynch, Mary-Kay;

Rudzinski, Suzanne; Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Cc: Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; Christ, Lisa; Elliott, Ross;

McMichael, Nate; Woolford, James; Clark, Becki; Dawson, Helen; Walker, Stuart

Subject: RE: PAGs Manual - revised Qs and As

I seem to be following in Barnes' footsteps – forgot the attachment.

Debbie Dietrich

Assistant Administrator for Homeland Security

USEPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

Phone: 202-564-6743

FAX: 202-564-0026

HSDN: deborah.dietrich@dhs.sgov.gov

From: Dietrich, Debbie

Sent: Thursday, April 04, 2013 4:52 PM

To: Johnson, Barnes; Flynn, Mike; Tulis, Dana; Grevatt, Peter; Lynch, Mary-Kay; Rudzinski, Suzanne;

Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Cc: Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; Christ, Lisa; Elliott, Ross;

McMichael, Nate; Woolford, James; Clark, Becki; Dawson, Helen; Walker, Stuart

Subject: RE: PAGs Manual - revised Qs and As

Mike, I added my comments (purple) to Barnes'. Let me know if you have any questions.

Debbie Dietrich

Assistant Administrator for Homeland Security

USEPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

Phone: 202-564-6743

FAX: 202-564-0026

HSDN: deborah.dietrich@dhs.sgov.gov

From: Johnson, Barnes

Sent: Thursday, April 04, 2013 2:50 PM

To: Johnson, Barnes; Flynn, Mike; Dietrich, Debbie; Tulis, Dana; Grevatt, Peter; Lynch, Mary-Kay;

Rudzinski, Suzanne; Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Cc: Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; Christ, Lisa; Elliott, Ross;

McMichael, Nate; Woolford, James; Clark, Becki; Dawson, Helen; Walker, Stuart

Subject: RE: PAGs Manual - revised Qs and As

Forgot the attachment

Barnes Johnson

USEPA | Superfund | Tel 703-347-8758 | johnson.barnes@epa.gov

From: Johnson, Barnes

Sent: Thursday, April 04, 2013 2:49 PM

To: Flynn, Mike; Dietrich, Debbie; Tulis, Dana; Grevatt, Peter; Lynch, Mary-Kay; Rudzinski, Suzanne;

Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Cc: Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; Christ, Lisa; Elliott, Ross;

McMichael, Nate; Woolford, James; Clark, Becki; Dawson, Helen; Walker, Stuart

Subject: RE: PAGs Manual - revised Qs and As

Mike/Jon,

I had just a couple of suggestions. Also Peter – check out my one comment in the drinking water area – it didn't sound quite right to me and I proposed a very small edit. Otherwise this looks fine to me.

Barnes Johnson

USEPA | Superfund | Tel 703-347-8758 | johnson.barnes@epa.gov

From: Flynn, Mike

Sent: Thursday, April 04, 2013 12:05 PM

To: Dietrich, Debbie; Tulis, Dana; Johnson, Barnes; Grevatt, Peter; Lynch, Mary-Kay; Rudzinski,

Suzanne; Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Cc: Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; Christ, Lisa; Elliott, Ross;

McMichael, Nate

Subject: PAGs Manual - revised Qs and As

ΑII,

As a follow-up to our call yesterday, attached are revised Qs and As on the revised PAGs Manual. We've refined some of the answers, and you will note that we've added "key points" after the answers on a few of the questions to highlight the key points in the answer. Please review and let us know if you have any final comments by COB today. FYI the PAGs package was signed by Gina M a bit earlier today and it's on the way to the Administrator's office. We understand that the package may be signed later today.

FYI OAR's communications folks have been working tor refine the press materials (desk statement, etc), coordinating with your coms folks. We will send around materials when they are complete so you have them.

Call or email if you have questions.

thanks again for continuing help, Mike

From: Flynn, Mike

Sent: Wednesday, April 03, 2013 6:04 PM

To: Flynn, Mike

Subject: FW: PAG Manual - for tomorrow's conf call

Dietrich, Debbie; Tulis, Dana; Johnson, Barnes; Grevatt, Peter; Lynch, Mary-Kay; Rudzinski, Suzanne; Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; McMichael, Nate

Mike Flynn, Director

Office of Radiation & Indoor Air

U.S. EPA

202-343-9356

From: Flynn, Mike

Sent: Tuesday, April 02, 2013 7:16 PM

To: Dietrich, Debbie; Tulis, Dana; Johnson, Barnes; Grevatt, Peter; Lynch, Mary-Kay; Rudzinski,

Suzanne; Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Cc: Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; McMichael, Nate

Subject: PAG Manual - for tomorrow's conf call

All,

We have a call scheduled tomorrow (Wed) at 2pm to provide you the latest on the PAG Manual and to discuss communications. Attached for our discussion is a preliminary draft of Q's and A's that we need your help on refining (and adding to). Our goal is to make sure we're all are 'on the same page' in responding to questions when the manual is released.

Some of you had conflicts and cannot make our call tomorrow – we will follow-up separately with you.
Thanks, Mike
Mike Flynn, Director
Office of Radiation & Indoor Air
U.S. EPA
202-343-9356

To: Lopez-Carbo, Maria[Lopez-Carbo.Maria@epa.gov]

From: Christ, Lisa

Sent: Fri 4/5/2013 7:10:02 PM

Subject: FW: PAGs Manual - revised Qs and As

Revised PAG Manual Qs and As draft 04042013 DD Comments (2)dt.doc.docx

Hi Maria,

I've just heard that ORIA is planning to post the draft PAG Manual on the web for public comment today. We are likely to get some questions on the drinking water PAG (or lack of). Attached is an internal Q&A that we have reviewed and okayed. There was only one very small dw edit which OGWDW was fine with. I will prepare a short desk statement that can be used with the Q&A in case it's needed. Let me know what else may be needed.

Lisa

From: Tulis, Dana

Sent: Thursday, April 04, 2013 6:06 PM

To: Dietrich, Debbie; Johnson, Barnes; Flynn, Mike; Grevatt, Peter; Lynch, Mary-Kay; Rudzinski,

Suzanne; Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Cc: Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; Christ, Lisa; Elliott, Ross;

McMichael, Nate; Woolford, James; Clark, Becki; Dawson, Helen; Walker, Stuart

Subject: RE: PAGs Manual - revised Qs and As

Here are my comments, on top of the rest, we do have some differences we may need to chat on.

From: Dietrich, Debbie

Sent: Thursday, April 04, 2013 5:03 PM

To: Dietrich, Debbie; Johnson, Barnes; Flynn, Mike; Tulis, Dana; Grevatt, Peter; Lynch, Mary-Kay;

Rudzinski, Suzanne; Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Cc: Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; Christ, Lisa; Elliott, Ross;

McMichael, Nate; Woolford, James; Clark, Becki; Dawson, Helen; Walker, Stuart

Subject: RE: PAGs Manual - revised Qs and As

I seem to be following in Barnes' footsteps – forgot the attachment.

Debbie Dietrich

Assistant Administrator for Homeland Security

USEPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

Phone: 202-564-6743

FAX: 202-564-0026

HSDN: deborah.dietrich@dhs.sgov.gov

From: Dietrich, Debbie

Sent: Thursday, April 04, 2013 4:52 PM

To: Johnson, Barnes; Flynn, Mike; Tulis, Dana; Grevatt, Peter; Lynch, Mary-Kay; Rudzinski, Suzanne;

Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Cc: Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; Christ, Lisa; Elliott, Ross;

McMichael, Nate; Woolford, James; Clark, Becki; Dawson, Helen; Walker, Stuart

Subject: RE: PAGs Manual - revised Qs and As

Mike, I added my comments (purple) to Barnes'. Let me know if you have any questions.

Debbie Dietrich

Assistant Administrator for Homeland Security

USEPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

Phone: 202-564-6743

FAX: 202-564-0026

HSDN: deborah.dietrich@dhs.sgov.gov

From: Johnson, Barnes

Sent: Thursday, April 04, 2013 2:50 PM

To: Johnson, Barnes; Flynn, Mike; Dietrich, Debbie; Tulis, Dana; Grevatt, Peter; Lynch, Mary-Kay;

Rudzinski, Suzanne; Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Cc: Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; Christ, Lisa; Elliott, Ross;

McMichael, Nate; Woolford, James; Clark, Becki; Dawson, Helen; Walker, Stuart

Subject: RE: PAGs Manual - revised Qs and As

Forgot the attachment

Barnes Johnson

USEPA | Superfund | Tel 703-347-8758 | johnson.barnes@epa.gov

From: Johnson, Barnes

Sent: Thursday, April 04, 2013 2:49 PM

To: Flynn, Mike; Dietrich, Debbie; Tulis, Dana; Grevatt, Peter; Lynch, Mary-Kay; Rudzinski, Suzanne;

Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Cc: Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; Christ, Lisa; Elliott, Ross;

McMichael, Nate; Woolford, James; Clark, Becki; Dawson, Helen; Walker, Stuart

Subject: RE: PAGs Manual - revised Qs and As

Mike/Jon,

I had just a couple of suggestions. Also Peter – check out my one comment in the drinking water area – it didn't sound quite right to me and I proposed a very small edit. Otherwise this looks fine to me.

Barnes Johnson

USEPA | Superfund | Tel 703-347-8758 | johnson.barnes@epa.gov

From: Flynn, Mike

Sent: Thursday, April 04, 2013 12:05 PM

To: Dietrich, Debbie; Tulis, Dana; Johnson, Barnes; Grevatt, Peter; Lynch, Mary-Kay; Rudzinski,

Suzanne; Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Cc: Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; Christ, Lisa; Elliott, Ross;

McMichael, Nate

Subject: PAGs Manual - revised Qs and As

All,

As a follow-up to our call yesterday, attached are revised Qs and As on the revised PAGs Manual. We've refined some of the answers, and you will note that we've added "key points" after the answers on a few of the questions to highlight the key points in the answer. Please review and let us know if you have any final comments by COB today. FYI the PAGs package was signed by Gina M a bit earlier today and it's on the way to the Administrator's office. We understand that the package may be signed later today.

FYI OAR's communications folks have been working tor refine the press materials (desk statement, etc), coordinating with your coms folks. We will send around materials when they are complete so you have them.

Call or email if you have questions.

thanks again for continuing help, Mike

From: Flynn, Mike

Sent: Wednesday, April 03, 2013 6:04 PM

To: Flynn, Mike

Subject: FW: PAG Manual - for tomorrow's conf call

Dietrich, Debbie; Tulis, Dana; Johnson, Barnes; Grevatt, Peter; Lynch, Mary-Kay; Rudzinski, Suzanne; Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; McMichael, Nate

Mike Flynn, Director

Office of Radiation & Indoor Air

U.S. EPA

202-343-9356

From: Flynn, Mike

Sent: Tuesday, April 02, 2013 7:16 PM

To: Dietrich, Debbie; Tulis, Dana; Johnson, Barnes; Grevatt, Peter; Lynch, Mary-Kay; Rudzinski,

Suzanne; Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Cc: Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; McMichael, Nate

Subject: PAG Manual - for tomorrow's conf call

All,

We have a call scheduled tomorrow (Wed) at 2pm to provide you the latest on the PAG Manual and to discuss communications. Attached for our discussion is a preliminary draft of Q's and A's that we need your help on refining (and adding to). Our goal is to make sure we're all are 'on the same page' in responding to questions when the manual is released.

Some of you had conflicts and cannot make our call tomorrow – we will follow-up separately with you.

Thanks, Mike

Mike Flynn, Director

Office of Radiation & Indoor Air

U.S. EPA

202-343-9356

To: Lopez-Carbo, Maria[Lopez-Carbo.Maria@epa.gov]

Cc: Oshida, Phil[Oshida.Phil@epa.gov]; Burneson, Eric[Burneson.Eric@epa.gov]

From: Christ, Lisa

Sent: Fri 4/5/2013 7:20:36 PM

Subject: RE: PAGs Manual - revised Qs and As

Desk Statement - Rads PAG.docx

Here's a desk statement I think will work – let me know if you have comments or other recommendations.

From: Lopez-Carbo, Maria

Sent: Friday, April 05, 2013 3:14 PM

To: Christ, Lisa

Subject: Re: PAGs Manual - revised Qs and As

Thanks Lisa.

From: Christ, Lisa

Sent: Friday, April 05, 2013 3:10:01 PM

To: Lopez-Carbo, Maria

Subject: FW: PAGs Manual - revised Qs and As

Hi Maria,

I've just heard that ORIA is planning to post the draft PAG Manual on the web for public comment today. We are likely to get some questions on the drinking water PAG (or lack of). Attached is an internal Q&A that we have reviewed and okayed. There was only one very small dw edit which OGWDW was fine with. I will prepare a short desk statement that can be used with the Q&A in case it's needed. Let me know what else may be needed.

Lisa

From: Tulis, Dana

Sent: Thursday, April 04, 2013 6:06 PM

To: Dietrich, Debbie; Johnson, Barnes; Flynn, Mike; Grevatt, Peter; Lynch, Mary-Kay; Rudzinski,

Suzanne; Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Cc: Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; Christ, Lisa; Elliott, Ross;

McMichael, Nate; Woolford, James; Clark, Becki; Dawson, Helen; Walker, Stuart

Subject: RE: PAGs Manual - revised Qs and As

Here are my comments, on top of the rest, we do have some differences we may need to chat on

From: Dietrich, Debbie

Sent: Thursday, April 04, 2013 5:03 PM

To: Dietrich, Debbie; Johnson, Barnes; Flynn, Mike; Tulis, Dana; Grevatt, Peter; Lynch, Mary-Kay;

Rudzinski, Suzanne; Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Cc: Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; Christ, Lisa; Elliott, Ross;

McMichael, Nate; Woolford, James; Clark, Becki; Dawson, Helen; Walker, Stuart

Subject: RE: PAGs Manual - revised Qs and As

I seem to be following in Barnes' footsteps – forgot the attachment.

Debbie Dietrich

Assistant Administrator for Homeland Security

USEPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

Phone: 202-564-6743

FAX: 202-564-0026

HSDN: deborah.dietrich@dhs.sgov.gov

From: Dietrich, Debbie

Sent: Thursday, April 04, 2013 4:52 PM

To: Johnson, Barnes; Flynn, Mike; Tulis, Dana; Grevatt, Peter; Lynch, Mary-Kay; Rudzinski, Suzanne;

Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Cc: Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; Christ, Lisa; Elliott, Ross;

McMichael, Nate; Woolford, James; Clark, Becki, Dawson, Helen; Walker, Stuart

Subject: RE: PAGs Manual - revised Qs and As

Mike, I added my comments (purple) to Barnes'. Let me know if you have any questions.

Debbie Dietrich

Assistant Administrator for Homeland Security

USEPA

1200 Pennsylvania Avenue, NW

Washington, DC 20460

Phone: 202-564-6743

FAX: 202-564-0026

HSDN: deborah.dietrich@dhs.sgov.gov

From: Johnson, Barnes

Sent: Thursday, April 04, 2013 2:50 PM

To: Johnson, Barnes; Flynn, Mike; Dietrich, Debbie; Tulis, Dana; Grevatt, Peter; Lynch, Mary-Kay;

Rudzinski, Suzanne; Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Cc: Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; Christ, Lisa; Elliott, Ross;

McMichael, Nate; Woolford, James; Clark, Becki; Dawson, Helen; Walker, Stuart

Subject: RE: PAGs Manual - revised Qs and As

Forgot the attachment

Barnes Johnson

USEPA | Superfund | Tel 703-347-8758 | johnson.barnes@epa.gov

From: Johnson, Barnes

Sent: Thursday, April 04, 2013 2:49 PM

To: Flynn, Mike; Dietrich, Debbie; Tulis, Dana; Grevatt, Peter; Lynch, Mary-Kay; Rudzinski, Suzanne;

Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Cc: Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; Christ, Lisa; Elliott, Ross;

McMichael, Nate; Woolford, James; Clark, Becki; Dawson, Helen; Walker, Stuart

Subject: RE: PAGs Manual - revised Qs and As

Mike/Jon,

I had just a couple of suggestions. Also Peter – check out my one comment in the drinking water area – it didn't sound quite right to me and I proposed a very small edit. Otherwise this looks fine to me.

Barnes Johnson

USEPA | Superfund | Tel 703-347-8758 | johnson.barnes@epa.gov

From: Flynn, Mike

Sent: Thursday, April 04, 2013 12:05 PM

To: Dietrich, Debbie; Tulis, Dana; Johnson, Barnes; Grevatt, Peter; Lynch, Mary-Kay; Rudzinski,

Suzanne; Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Cc: Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; Christ, Lisa; Elliott, Ross;

McMichael, Nate

Subject: PAGs Manual - revised Qs and As

All,

As a follow-up to our call yesterday, attached are revised Qs and As on the revised PAGs Manual. We've refined some of the answers, and you will note that we've added "key points" after the answers on a few of the questions to highlight the key points in the answer. Please review and let us know if you have any final comments by COB today. FYI the PAGs package was signed by Gina M a bit earlier today and it's on the way to the Administrator's office. We understand that the package may be signed later today.

FYI OAR's communications folks have been working tor refine the press materials (desk statement, etc), coordinating with your coms folks. We will send around materials when they are complete so you have them.

Call or email if you have questions.

thanks again for continuing help, Mike

From: Flynn, Mike

Sent: Wednesday, April 03, 2013 6:04 PM

To: Flynn, Mike

Subject: FW: PAG Manual - for tomorrow's conf call

Dietrich, Debbie; Tulis, Dana; Johnson, Barnes; Grevatt, Peter; Lynch, Mary-Kay; Rudzinski, Suzanne; Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; McMichael, Nate

Mike Flynn, Director

Office of Radiation & Indoor Air

U.S. EPA

202-343-9356

From: Flynn, Mike

Sent: Tuesday, April 02, 2013 7:16 PM

To: Dietrich, Debbie; Tulis, Dana; Johnson, Barnes; Grevatt, Peter; Lynch, Mary-Kay; Rudzinski,

Suzanne; Schmidt, Lorie; Michaud, John; Devlin, Betsy; Stahle, Susan

Cc: Duncan, Anna; Millett, John; Edwards, Jonathan; Veal, Lee; DeCair, Sara; McMichael, Nate

Subject: PAG Manual - for tomorrow's conf call

All,

We have a call scheduled tomorrow (Wed) at 2pm to provide you the latest on the PAG Manual and to discuss communications. Attached for our discussion is a preliminary draft of Q's and

A's that we need your help on refining (and adding to). Our goal is to make sure we're all are 'on the same page' in responding to questions when the manual is released.

Some of you had conflicts and cannot make our call tomorrow – we will follow-up separately with you.

Thanks, Mike

Mike Flynn, Director

Office of Radiation & Indoor Air

U.S. EPA

202-343-9356

To: Lopez-Carbo, Maria[Lopez-Carbo.Maria@epa.gov]

Cc: Burneson, Eric[Burneson.Eric@epa.gov]; Oshida, Phil[Oshida.Phil@epa.gov]

From: Christ, Lisa

Sent: Fri 4/5/2013 9:04:45 PM Subject: Fw: PAG Manual is out!! PAGFactSheet4-5-2013-FINAL.pdf

Fyi. Attached FS may be helpful for general questions

Lisa

From: DeCair, Sara

Sent: Friday, April 05, 2013 5:01:00 PM

To: Andrew.Wallo@eh.doe.gov; Ansari, Armin (CDC/CCEHIP/NCEH); Carlos.Corredor@Hq.Doe.Gov; Christ, Lisa; Darrell Liles; Dawson, Helen; Edward.Regnier@hq.doe.gov; Ferris.John@dol.gov; Hernandez-Quinones, Samuel; Hudson, Scott; Jensen, JohnT; john.mackinney@dhs.gov; kzirbel@endyna.com; lodwick.jeffrey@dol.gov; Major James Ross; Manuel.Aponte@osd.mil; Miller, Charles W. (CDC/CCEHIP/NCEH); Noska, Mike (FDA); Patricia.Milligan@nrc.gov; Quinn, Vanessa; ricardo.a.reyes@us.army.mil; Schumann, Jean; siddhanti@endyna.com; Terry Kraus; Veal, Lee; Walker, Stuart; william.cunningham@nist.gov

Cc: Veal, Lee

Subject: PAG Manual is out!!

PAGs Subcommittee,

EPA has just released the "Protective Action Guides and Planning Guidance for Radiological Incidents" (PAG Manual). The proposal will be published officially in the Federal Register in the coming week or so, and we've put a copy on our website if you'd like to see it sooner. (http://www.epa.gov/radiation/rert/pags.html)

Attached is a fact sheet that might be useful for you and your colleagues. We will be taking comment on the guide for 90 days from the date of publication in the Federal Register, so please plan to roll up your sleeves and get busy adjudicating those later this summer.

1	nan	K	У	0	u	

Sara

Sara D. DeCair, Health Physicist

EPA's Center for Radiological Emergency Management

202-343-9108

To: DeCair, Sara[DeCair.Sara@epa.gov]; Ellis, Jerry[Ellis.Jerry@epa.gov]; Hernandez-Quinones,

Samuel[Hernandez.Samuel@epa.gov]

Cc: Veal, Lee[Veal.Lee@epa.gov]

From: Christ, Lisa

Sent: Fri 1/10/2014 9:07:56 PM **Subject:** RE: briefing scheduling

Hi Sara,

That is probably a little faster that I expected. A couple weeks later would be better.

Thanks-

Lisa

From: DeCair, Sara

Sent: Friday, January 10, 2014 11:51 AM

To: Christ, Lisa; Ellis, Jerry; Hernandez-Quinones, Samuel

Cc: Veal, Lee

Subject: briefing scheduling

Lisa -

We are working on the scheduling and have tentatively chosen Feb. 6th for the ODs briefing and a pre-brief for Jon, our DD, for Jan. 21. That would require a draft briefing to be in hand on Jan. 17th, which is really soon! I wanted to check if that was a little too fast for you to get a draft together, even knowing it doesn't have to be final since DDs will also want to help shape it as well.

Thanks for letting me know what you think so we can look a little further out in to February if needed. Cheers,

S.

From: Christ, Lisa

Sent: Wednesday, January 08, 2014 5:22 PM

To: Ellis, Jerry; DeCair, Sara; Hernandez-Quinones, Samuel

Subject: RE: A few more nuclides to consider, and briefing scheduling

Hi Sara,

Sounds like y'all had a productive meeting last month. I think it would be great to update Petter and Mike on the progress made and thinking so far. About a month from now should allow time to pre-brief the acting Division Director in OGWDW. Peter's scheduler is Paula Mason – she'd best able to assist with scheduling. I suggest we prepare briefing materials together. We can prepare a 1st draft and sent it to y'all for input.

Thanks-

Lisa

From: Ellis, Jerry

Sent: Wednesday, January 08, 2014 5:12 PM **To:** DeCair, Sara; Hernandez-Quinones, Samuel

Cc: Christ, Lisa

Subject: RE: A few more nuclides to consider, and briefing scheduling

Thank you Sara,

We will get back to you. Just copied Lisa.

Jerry L. Ellis, Jr.

Physical Scientist

Standards and Risk Management Division

Office of Ground Water and Drinking Water

U.S. Environmental Protection Agency

Sara D. DeCair

http://www.epa.gov/radiation/rert/pags.html

202-343-9108

To: Ellis, Jerry[Ellis.Jerry@epa.gov]; DeCair, Sara[DeCair.Sara@epa.gov]; Hernandez-Quinones,

Samuel[Hernandez.Samuel@epa.gov]

From: Christ, Lisa

Sent: Wed 1/8/2014 10:22:05 PM

Subject: RE: A few more nuclides to consider, and briefing scheduling

Hi Sara,

Sounds like y'all had a productive meeting last month. I think it would be great to update Petter and Mike on the progress made and thinking so far. About a month from now should allow time to pre-brief the acting Division Director in OGWDW. Peter's scheduler is Paula Mason – she'd best able to assist with scheduling. I suggest we prepare briefing materials together. We can prepare a 1st draft and sent it to y'all for input.

Thanks-

Lisa

From: Ellis, Jerry

Sent: Wednesday, January 08, 2014 5:12 PM **To:** DeCair, Sara; Hernandez-Quinones, Samuel

Cc: Christ, Lisa

Subject: RE: A few more nuclides to consider, and briefing scheduling

Thank you Sara,

We will get back to you. Just copied Lisa.

Jerry L. Ellis, Jr.

Physical Scientist

Standards and Risk Management Division

Office of Ground Water and Drinking Water

U.S. Environmental Protection Agency

1200 Pennsylvania Ave. (4607M), N.W.

Sent: Thur 1/23/2014 8:37:48 PM Subject: RE: Is 1/24 okay for draft Water brief mat'ls? Grevatt Briefing PAGs Feb 2014 Ic.docx
Hi Sam,
Attached are my comments. I mostly moved things around to put it into Peter's preferred briefing format. We'll need to get input from ORIA on the briefing paper before its final. Please send this to Sara et al for their comments.
Thanks-
Lisa
From: Hernandez-Quinones, Samuel Sent: Thursday, January 23, 2014 1:36 PM To: Christ, Lisa; Ellis, Jerry Subject: RE: Is 1/24 okay for draft Water brief mat'ls?
Hi Lisa,
Please see attached file.
Let me know if you would like me to add anything else.
Sam

Hernandez-Quinones, Samuel[Hernandez.Samuel@epa.gov] Christ, Lisa

To: From: From: Christ, Lisa

Sent: Thursday, January 16, 2014 12:05 PM **To:** Hernandez-Quinones, Samuel; Ellis, Jerry

Subject: FW: Is 1/24 okay for draft Water brief mat'ls?

Sam & Jerry -

Please let me know you can prepare briefing materials for an update on the development of options for a Rads PAG by COB January 21? That would allow me time to review and time to schedule a briefing with Eric late January. If you need more time let me know so I can advise Sara.

Thanks-

Lisa

From: DeCair, Sara

Sent: Thursday, January 16, 2014 12:01 PM

To: Christ, Lisa

Subject: Is 1/24 okay for draft Water brief mat'ls?

So we can pre-brief Jon on 1/28? Thanks for letting me know!

S.

Sara D. DeCair

http://www.epa.gov/radiation/rert/pags.html

202-343-9108

To: Perry, Sam A (DOH)[Sam.Perry@DOH.WA.GOV]

Cc: Means, Mike J (DOH)[mike.means@DOH.WA.GOV]; Clifford, Denise

(DOH)[Denise.Clifford@DOH.WA.GOV]; Burneson, Eric[Burneson.Eric@epa.gov]; Grubbs,

Thomas[Grubbs.Thomas@epa.gov]

From: Christ, Lisa

Sent: Tue 8/6/2013 7:22:22 PM

Subject: RE: Radionuclide exposure in drinking water - Short-term HALs/PAGs (Draft EPA Guidance)

Hi Sam,

OGWDW was involved in the development of the draft PAG Manual and we'll be working with EPA's Office of Radiation and Indoor Air to address drinking water related comments submitted to the docket. You can cc me Christ.lisa@epa.gov and Hernandez-Quinones.Samuel@epa.gov when you send your comments.

T	ha	nk	yo	u-

Lisa

Lisa Christ, Associate Chief

Targeting and Analysis Branch

Office of Ground Water and Drinking Water

USEPA

1200 Pennsylvania Ave NW Washington, DC 20460-0001 phone: 202.564.8354 fax: 202.564-3760

Mail Code: 4607M

From: Grubbs, Thomas

Sent: Tuesday, August 06, 2013 2:54 PM

To: Perry, Sam A (DOH); Burneson, Eric; Christ, Lisa **Cc:** Means, Mike J (DOH); Clifford, Denise (DOH)

Subject: RE: Radionuclide exposure in drinking water - Short-term HALs/PAGs (Draft EPA Guidance)

Sam – I am not the right person. Eric is acting division director, so I am copying Lisa Christ, who is the acting branch chief for the branch that does radionuclide issues.
Lisa – Thanks for any help you can give Sam.
Tom
From: Perry, Sam A (DOH) [mailto:Sam.Perry@DOH.WA.GOV] Sent: Tuesday, August 06, 2013 2:42 PM To: Grubbs, Thomas; Burneson, Eric Cc: Means, Mike J (DOH); Clifford, Denise (DOH) Subject: Radionuclide exposure in drinking water - Short-term HALs/PAGs (Draft EPA Guidance)
Hi Tom and Eric,
I am working with colleagues in the WSDOH Office of Radiation Protection on putting together comments on a the draft PAG Manual - Protective Action Guides and Planning Guidance for Radiological Incidents. See http://www.epa.gov/radiation/docs/er/pag-manual-interim-public-comment-4-2-2013.pdf
In the manual, there is discussion of drinking water (See Section 3.5 if you're interested).
To help facilitate coordination between EPA programs on this issue, I suggested that our Rad folks copy staff in EPA-OGWDW. Who you think it would be best to copy when in our comments on the development of short-term health advisory levels/PAGs for radionuclides? You? Phil Oshida? Ann Codrington?
I'd appreciate any direction that you can provide.
Thanks,

Sam

Samuel A. L. Perry, P.E.
Water Treatment Engineer
Office of Drinking Water
WSDOH - Environmental Public Health Division
20425 - 72nd Ave. S., Suite 310/Kent, WA 98032
DIRECT: (253) 395-6755
FAX: (253) 395-6760
e-mail: sam.perry@doh.wa.gov
Public Health - Always Working for a Safer and Healthier Washington

^{****} This message may be confidential. If you received it by mistake, please notify the sender and delete the message. ****

To: Oshida, Phil[Oshida.Phil@epa.gov]
Cc: Schuck, Tracey[Schuck.Tracey@epa.gov]

From: Christ, Lisa

Sent: Wed 6/19/2013 6:41:55 PM Subject: TAB input for SRMD bi-weekly

Draft Radiation Protective Action Guidelines Webinar – On June 20, ORIA is hosting the first in a series of webinars geared toward emergency management professionals who use Protective Action Guides for radiological emergency preparedness plans and who are looking for a short overview. A multi-agency team will run through key changes in the 2013 PAG Manual proposal, out for public review and comment now. Specific Federal Register questions to inform comments will be highlighted with time allotted for questions and answer. (Sam Hernandez 564-1735).

Reduction of Lead in Drinking Water Act: FAQs – The public comment period for the draft FAQs ends June 21, 2013 – several requesters have asked for a 30 day extension of the comment period. SRMD posted draft Lead FAQs for public comment on the agency website on May 22. The purpose of the FAQs is to provide answers to Safe Drinking Water Act questions raised by stakeholders. (Jeff Kempic 564-4880).

To: Burneson, Eric[Burneson.Eric@epa.gov]

From: Christ, Lisa

Sent: Thur 9/12/2013 4:31:12 PM

Subject: RE: Sen. Markey staff briefing request re: PAGs

We (Sam, Jerry and I) are scheduled to meet with Sara, Mike Boyd and Lee Veal on Tuesday 9/17 at 9:30am. This is to check in on the status of comments on the drinking water PAG and also the report Cadmus is preparing for us on currently available emergency values (DHS, WHO, etc) and the rationale/basis for them.

How would you like to handle the Markey request? I'm happy to attend with you or instead of you. Do you want an update after we met with ORIA next week and before meeting with Markey?

From: Burneson, Eric

Sent: Thursday, September 12, 2013 12:19 PM

To: Christ, Lisa

Subject: FW: Sen. Markey staff briefing request re: PAGs

FYI

From: Davis, CatherineM

Sent: Thursday, September 12, 2013 11:11 AM

To: Burneson, Eric; Lopez-Carbo, Maria **Cc:** Klasen, Matthew; Peck, Gregory

Subject: Sen. Markey staff briefing request re: PAGs

Hi Eric and Maria,

Senator Markey's office has asked for an in-person briefing on the recently issued Protective Action Guidance for Radiological Incidents. They are continuing to hear many concerns about the guidelines and would like a technical briefing. Mike Flynn, Jon Edwards and Sara DeCair from OAR have agreed to participate, and Jon recommends also including Eric, as well as Dana Tulis.

OAR would like to meet after the comment period closes (on the 16th), and they are generally available over the next couple weeks. Can you let me know if Eric is available and the right

To: Davis, CatherineM[Davis.CatherineM@epa.gov]

From: Christ, Lisa

Sent: Mon 9/16/2013 12:57:11 PM

Subject: RE: Sen. Markey staff briefing request re: PAGs

Hi Cathy,

My outlook calendar is always up to date.

Monday 9/16 - 4pm-6pm

Tu 9/17 - 12n-1pm or 5pm-6pm

W 9/18 - N/A

Th 9/19 – 12pm-1pm or 3pm-6pm

Friday 9/20 1pm-15pm

M 9/23 - 10am-6pm

Tu 9/24 – 10am-1pm or 4pm-6pm

W 9/25 – anytime after 10am

Th 9/26 – 1130am-1pm or 3pm-6pm

From: Davis, CatherineM

Sent: Monday, September 16, 2013 7:55 AM

To: Christ, Lisa

Subject: FW: Sen. Markey staff briefing request re: PAGs

Hi Lisa,

My sources (Maria) tell me that you're the OGWDW person for the in-person briefing on the recently issued Protective Action Guidance for Radiological Incidents requested by Senator Markey's office. Can you send me your availability for this week and next week?

Regards,

Cathy Davis

Office of Congressional and

To: Davis, CatherineM[Davis.CatherineM@epa.gov]

From: Christ, Lisa

Sent: Thur 9/19/2013 12:41:33 PM

Subject: RE: Sen. Markey staff briefing request re: PAGs

Hi Cathy,

It's my compressed day off, but I can make arrangements to be here if that's the only time that works

Lisa

From: Davis, CatherineM

Sent: Thursday, September 19, 2013 8:38 AM

To: Christ, Lisa

Subject: RE: Sen. Markey staff briefing request re: PAGs

Hi Lisa,

We are having trouble finding common times for PAG briefing. Do you have any availability on Friday 9/27?

Cathy Davis

Office of Congressional and

Intergovernmental Relations

202-564-2703

davis.catherinem@epa.gov

Send mail to:

US Environmental Protection Agency

1200 Pennsylvania Ave, NW

MC: 1305A

Washington, DC 20460

From: Christ, Lisa

Sent: Monday, September 16, 2013 8:57 AM

To: Davis, CatherineM

Subject: RE: Sen. Markey staff briefing request re: PAGs

Hi Cathy,

My outlook calendar is always up to date.

Monday 9/16 – 4pm-6pm

Tu 9/17 - 12n-1pm or 5pm-6pm

W 9/18 - N/A

Th 9/19 – 12pm-1pm or 3pm-6pm

Friday 9/20 1pm-15pm

M 9/23 - 10am-6pm

Tu 9/24 – 10am-1pm or 4pm-6pm

W 9/25 - anytime after 10am

Th 9/26 – 1130am-1pm or 3pm-6pm

From: Davis, CatherineM

Sent: Monday, September 16, 2013 7:55 AM

To: Christ, Lisa

Subject: FW: Sen. Markey staff briefing request re: PAGs

Hi Lisa,

My sources (Maria) tell me that you're the OGWDW person for the in-person briefing on the recently issued Protective Action Guidance for Radiological Incidents requested by Senator Markey's office. Can you send me your availability for this week and next week?

Regards,

Cathy Davis

Office of Congressional and

Intergovernmental Relations

202-564-2703

davis.catherinem@epa.gov

Send mail to:

US Environmental Protection Agency

1200 Pennsylvania Ave, NW

MC: 1305A

Washington, DC 20460

From: Davis, CatherineM

Sent: Thursday, September 12, 2013 11:11 AM

To: Burneson, Eric; Lopez-Carbo, Maria **Cc:** Klasen, Matthew; Peck, Gregory

Subject: Sen. Markey staff briefing request re: PAGs

Hi Eric and Maria,

Senator Markey's office has asked for an in-person briefing on the recently issued Protective Action Guidance for Radiological Incidents. They are continuing to hear many concerns about the guidelines and would like a technical briefing. Mike Flynn, Jon Edwards and Sara DeCair from OAR have agreed to participate, and Jon recommends also including Eric, as well as Dana Tulis.

OAR would like to meet after the comment period closes (on the 16th), and they are generally

available over the next couple weeks. Can you let me know if Eric is available and the right person for the briefing? If so, Eric, can you let me know what your availability is in the next 2 weeks. FYI, OAR sent the following article. Thanks, Cathy Davis Office of Congressional and Intergovernmental Relations 202-564-2703 davis.catherinem@epa.gov Send mail to: **US Environmental Protection Agency** 1200 Pennsylvania Ave, NW MC: 1305A Washington, DC 20460

From: Perrin, Alan

Sent: Thursday, September 12, 2013 9:44 AM

To: Lewis, Josh; Levine, Carolyn

Subject: article, FYI

To: Hernandez-Quinones, Samuel[Hernandez.Samuel@epa.gov]; Ellis, Jerry[Ellis.Jerry@epa.gov]

From: Christ, Lisa

Sent: Wed 9/18/2013 5:34:34 PM

Subject: FW: The Morning Headlines from InsideEPA.com -- September 18, 2013

From: Grevatt, Peter

Sent: Wednesday, September 18, 2013 7:50 AM

To: Burneson, Eric; Christ, Lisa; Oshida, Phil; Lopez-Carbo, Maria; Codrington, Ann; Travers, David;

Newberry, Debbie; Corr, Elizabeth

Subject: FW: The Morning Headlines from InsideEPA.com -- September 18, 2013

From today's inside EPA on PAGS.

Daily News

States, Scientists Urge Drinking Water Standard For EPA Radiological Guide

Posted: September 17, 2013

Some states and radiation scientists are calling on EPA to develop a protective drinking water level for exposures to radiation in the intermediate aftermath following radiological emergencies, noting that the 2011 Fukushima nuclear power plant accident showed that applying the existing radionuclides drinking water regulations to accident conditions failed to be feasible.

At the same time, environmentalists say EPA should drop all efforts to establish a drinking water protective level that is weaker than Safe Drinking Water Act (SDWA) limits, but instead should give local and state authorities clear guidance on how to ensure the safety of water supplies during such periods. Environmentalists want EPA to withdraw the guidance, which they say weakens public health protections.

And drinking water utilities are questioning many of EPA's assumptions about their ability to provide clean water supplies after an incident, calling them naïve and asking to meet with the agency about the issue.

<u>The comments</u> respond to an EPA request for public input into the possibility of developing a drinking water standard for intermediate time periods following emergency radiological releases as part of its draft "Protective Action Guides and Planning Guidance for Radiological Incidents," known as <u>the PAG for radiological incidents</u>. EPA is calling this a "short-term" emergency drinking water PAG.

EPA did not include such a standard in the draft, but asked for comment on the matter, and alludes in footnotes to several approaches by other entities that environmentalists say would be far less stringent than what SDWA permits.

EPA took comment until Sept. 16 on its draft interim PAG, which the agency released April 15. Upon the document's

release, environmentalists and anti-nuclear groups started raising concerns, charging dramatically weaker standards are being promoted for cleanup and drinking water limits. The document is meant to guide first responders at the scene of radiological emergencies, bringing together relevant government guidance and protocols on what steps should be taken, according to a *Federal Register* notice on the guidance.

Enforceable SDWA standards for radionuclides exist, but the agency says in the draft guide that it is not currently proposing a specific drinking water PAG. Rather, the agency advises that to the extent practicable, emergency measures for drinking water should be based on the National Primary Drinking Water Regulations (NPDWR) for Radionuclides, which give states flexibility when responding to radiological events.

Regulatory Standard

If a public water system exceeds the NPDWR, it must work to return to compliance as soon as feasible, EPA says. The NPDWR provides for a regulatory standard of 4 millirems (mrem)/year based on lifetime exposure, but EPA says it is asking for input on an approach and technical rationale for a drinking water PAG for an emergency's intermediate phase — generally considered from one year to seven years after the emergency — to help officials determine protective actions under emergency conditions when exposures occur over shorter time periods than those expected in the NPDWR. In footnotes, EPA makes reference to a range of emergency guidelines on drinking water that international organizations have produced.

"[T]he Agency recognizes a short-term emergency drinking water guide may be useful for public health protection in light of the Fukushima nuclear power plant accident, which impacted some Japanese drinking water supplies."

In response, the Pennsylvania Department of Environmental Protection says in July 10 comments that the Fukushima accident demonstrated that relying on the NPDWR levels for accident conditions "is not feasible," and a drinking water PAG is needed. "It is of great concern that, after 21 years since the issuance of the 1992 PAG Manual, the EPA still has not issued PAGs for drinking water for accident/emergency situations and is only now soliciting input to aid it in the development of drinking water PAGs."

And the Ohio Department of Public Safety says in <u>June 24 comments</u> that while SDWA and NPDWR standards may work for lifetime exposure calculations, "they aren't easily adaptable to emergency situations." The Fukushima accident showed that areas in a radiological emergency may not have access to outside sources of water and supplies. "In order to cover all contingencies it would be prudent to have a drinking water PAG developed so we can advise people who only have contaminated drinking water available," the state says.

The Health Physics Society, which represents scientists and others promoting the control of potential risks from radiation relative to benefits, generally calls the PAG "thorough and clear," but says a short-term drinking water standard is needed, stressing that the Fukushima accident "highlighted the importance of having specific, practical guidelines for drinking water in short-term radiation emergency situations."

Water Values

But in draft comments floated ahead of the Sept. 16 deadline from the Committee to Bridge the Gap and other environmental groups, the commenters say the footnotes EPA references regarding other entities' emergency guidelines would allow for a variety of drinking water values that would weaken the protections in the SDWA to different degrees. The groups analyzed these for various radionuclides to make comparisons on these values in contrast to EPA's SDWA maximum contaminant level for the substance. It found levels up to tens of thousands of times beyond SDWA levels, according to the draft comments. "Rather than proposing to force people to drink water contaminated at levels hundreds, thousands, or even tens of thousands of times higher than the EPA has historically considered acceptable under the [SDWA], the PAGs should instead do what they are supposed to do: provide protective action guidance for authorities on how to treat contaminated water or provide alternative drinking water supplies after the immediate emergency has passed," they say. For instance, the various alternatives in the guidance would allow for between 34 and 828 times the level of Strontium-90 allowed under existing SDWA levels, they say.

The draft comments recommend EPA halt efforts to set water PAGs weaker than SDWA limits, the commenters say.

And the Natural Resources Defense Council (NRDC) in <u>July 15 comments</u> rejects the idea of setting a new drinking water PAG. "Given that bottled water is widely available commercially throughout the country, NRDC sees no

necessity in relaxing the established enforceable drinking water standards for radionuclides under the [SDWA], limiting exposures from drinking water to 4 mrem per year."

The American Water Works Association (AWWA), which represents drinking water utilities, <u>in its comments</u> recommends EPA set PAGs for drinking water during the intermediate period that are consistent with PAGs for food interdiction.

AWWA also takes issue with other aspects of the guide as they relate to water systems. The group questions EPA's statement that the public should be told the water is safe to drink during the early phase of an incident because of the time it would take for the radionuclides to move into a supply system, and the assumption that all water distribution systems have reserve and storage capacity. "We question the assumption that the Agency is making in regards to distribution system reserve/storage capacity as we believe they are naïve," AWWA says. Storage capacity varies, and is influenced by the time of day and year, it notes. EPA should consider worst reasonable case scenarios where storage is minimal and treatment plants are running at full capacity. Under these conditions, treatment plants should be advised to shut down immediately to mitigate potential contamination of the system, it says.

The group also questions EPA's recommendation to set up pipelines from "clean" water supplies to distribution centers in order to supply water to an affected area. The option assumes a clean supply of water exists, "which runs counter to EPA's own analysis as performed by the Environmental Assessment Division of Argonne National Laboratory," the comments say. Resources to set up a pipeline may also not be available under emergency conditions, it notes.

AVWVA also suggests meeting with EPA to examine the emergency water supply issue.

States' Concerns

Two states — California and Pennsylvania — are raising concerns over EPA's decision to remove tables it had included in its earlier 1992 PAG. "The exclusion of Dose Conversion Factors (DCF), Derived Response Levels (DRL) and calculation methodologies makes this document more of a discussion of good ideas rather that [sic] a technical standard and reference document," the California Governor's Office of Emergency Services says in its comments.

<u>Pennsylvania DEP says</u> these tables and conversions from deposition to dose rate should be included in the manual. Removal of the tables will cause "uncertainty and ambiguity" as to the best values to use and create delays during emergencies, it says. "State and Local governments need a readily accessible, authoritative source of this information included with the PAG guidance. Our plans and procedures need to state explicitly what DCFs, DRLs, and conversions from deposition to dose rate will be used in accident/emergency conditions to evaluate the situation."

The state also says EPA should "develop a realistic strategy" to address radioactive waste management in light of large radiological releases, rather than relying on states and local officials, as they will not have the resources to address such a substantial waste issue.

The Committee to Bridge the Gap's draft comments and the NRDC comments cite major problems with the draft PAG, in addition to these issues, building on initial remarks environmentalists made over the draft guide's alleged weakening of standards and concerns over a controversial cleanup approach called optimization. They say the agency should withdraw the guidance.

In addition to the concerns over drinking water levels, the Committee to Bridge the Gap's draft comments say the group's main concerns are over language that suggests applying long-term cleanup standards much less stringent than EPA's traditional risk range; the removal of relocation PAGs for high thyroid and skin doses; the suggestion that radioactive waste be allowed for disposal at solid waste municipal facilities; the expansion of the PAG to effectively cover all radioactive releases, including transportation accidents; the use of dose limits as high or higher than those used decades ago despite newer estimates that cancer risks are greater than previously believed; and the apparent retention of outdated and extremely high Food & Drug Administration food contamination levels, the draft comments say.

From: InsideEPA.com [mailto:epa-alerts@iwpnews.com] Sent: Wednesday, September 18, 2013 6:36 AM

To: Grevatt, Peter

Subject: The Morning Headlines from InsideEPA.com -- September 18, 2013

To ensure you receive our emails, please add epa-alerts@iwpnews.com to your address book.

September 18, 2013

Latest News

Latest Blogs

Suit Threatens To Force **EPA Air Toxics Rules**

ECOS Punts Utility NSPS 'Principles' Resolution Due Review To States' Divisions

The Environmental Council of the States (ECOS) has punted for a month a final vote on a resolution outlining states' "principles" for EPA's pending greenhouse gas (GHG) rule for existing utilities, after some states opposed to GHG rules warned that the draft resolution could be seen as an endorsement of existing state climate trading programs.

Environmentalists are threatening EPA with a lawsuit over the agency's alleged failure to review and if necessary revise air toxics standards for 46 industry sectors, . . .

READ MORE >>

Utility Renews Call For High Court Review Of Air **Defense Suit**

Agencies Float CWA Jurisdiction Plan But Drop Plan For Interim Guide

EPA and the Army Corps of Engineers have submitted to the White Supreme Court to review an House for interagency review a long-awaited draft proposed rule clarifying the reach of the Clean Water Act (CWA) over marginal waters but have dropped plans for issuing interim guidance on the issue prior to the rule's release.

Utility Luminant Generation is reiterating its call for the appellate ruling that upheld EPA's policy barring the state from granting . . .

READ MORE >>

EDF Methane Study Spurs Debate On Air Rules

Corps Weighs Uniform Method For Calculating Limits

Of Water Act's Reach

The Army Corps of Engineers is considering developing a uniform methodology for EPA and other regulators to use in determining the ordinary high water mark (OHWM), a legal concept used to measure the lateral limits of Clean Water Act (CWA) jurisdiction for non-tidal waterbodies.

READ MORE >>

Biofuels Groups Claim 'Huge' Corn Crop Weakens Calls For RFS Repeal

Biofuels advocates say an anticipated "huge" corn crop this year will reverse low production caused by last year's drought and undermine calls to repeal EPA's renewable fuel standard (RFS) over the claim that the program is driving up corn shortages and prices, though they doubt the crop growth will alter the looming RFS mandates for 2014.

READ MORE >>

States, Scientists Urge Drinking Water Standard For EPA Radiological Guide

Some states and radiation scientists are calling on EPA to develop a protective drinking water level for exposures to radiation in the intermediate aftermath following radiological emergencies, noting that the 2011 Fukushima nuclear power plant accident showed that applying the existing radionuclides drinking water regulations to accident conditions failed to be feasible.

READ MORE >>

EPA Extends Review Of Maine Ozone Control Opt-Out After States' Doubts

EPA is extending by one month — from Sept. 4 to Oct. 3 — the comment period on its proposed approval of Maine's plan for a partial exemption of its emission reduction mandates as part of the Ozone Transport Commission (OTC), after other states raised doubts over whether the plan is legal and would satisfy Clean Air Act requirements.

READ MORE >>

About This Message

This message has been provided as a service of the EPA Desktop Library by the EPA National Library Network to share the latest in news and information with Agency staff. Please note, these materials the first piece of its study may be copyrighted and should not be forwarded outside of the U.S. aimed at getting better data EPA. If you have any questions or no longer wish to receive these messages, please contact Shari Clayman at 202-566-2370 or send leaks along all points of . . . an e-mail to clayman.shari@epa.gov.

Environmental Defense Fund (EDF) has released on unintended methane

EDITORIAL CONTACTCUSTOMER SERVICE

703-562-8763 703-416-8505

E-MAIL >> E-MAIL >>

Site Licenses Available

Want to share access to InsideEPA.com with your colleagues? We have economical site license packages available to fit any size organization, from a few people at one location to companywide access. For more information on how you can get greater access to InsideEPA.com for your office, contact our Online Customer Service department at 703-416-8505 or iepa@iwpnews.com.

Please do not respond to this e-mail, as it was sent from an unmonitored mailbox. If you have a customer service inquiry, please contact us at iepa@iwpnews.com. If you no longer wish to receive these messages, you can change your e-mail settings on InsideEPA.com (you may need to log in).

Mailing address: 1919 South Eads Street, Suite 201, Arlington VA 22202

Telephone: <u>703-416-8500</u> or <u>1-800-424-9068</u>

Copyright © 2013 Inside Washington Publishers. All rights reserved. | About Us | Privacy Policy

Cc: From: Sent:	Ellis, Jerry[Ellis.Jerry@epa.gov]; Hernandez-Quinones, Samuel[Hernandez.Samuel@epa.gov] Christ, Lisa Thur 6/26/2014 1:58:54 PM
Subject:	RE: draft scheduler request for AAs on PAGs
Hi All –	
Yes this	looks reasonable.
Lisa	
	ursday, June 26, 2014 9:13 AM
	air, Sara; Christ, Lisa , Jerry; Hernandez-Quinones, Samuel
	RE: draft scheduler request for AAs on PAGs
Sara,	
This lool	ks good to me. We'll have our move completed before the DD meeting, which is
helpful.	
Lisa,	
How are	schedules on the OGWDW end? Is this a reasonable approach to you?
Lee	

Veal, Lee[Veal.Lee@epa.gov]; DeCair, Sara[DeCair.Sara@epa.gov]

To:

Director, Center for Radiological Emergency Management
Radiation Protection Division, ORIA, OAR
Office: 202-343-9448
Cell: 202-617-4322
www.epa.gov/radiation
From: DeCair, Sara Sent: Thursday, June 26, 2014 8:59 AM To: Veal, Lee; Christ, Lisa Cc: Ellis, Jerry; Hernandez-Quinones, Samuel Subject: draft scheduler request for AAs on PAGs
Lee, Lisa, how does this look? I can queue it up through Jon's scheduler, Connie, to coordinate with Mason from the DDs level.
Meeting request for Janet McCabe and Nancy Stoner, AAs of Air and Water, respectively: "Protective actions for drinking water in a radiological incident."
• • • • One hour, in mid or late August 2014. Briefing materials will be provided in advance.
•□□□□□□ Key participants:

Lee Ann B. Veal

Sam Hernandez-Quinones, Sara DeCair
•□□□□□□□ Additional invitees:
o Jerry Ellis, Mike Boyd
• • • • • Pre-briefs requested beforehand:
O Office Directors Mike Flynn and Peter Grevatt, by the first week of August
o Division Directors Jon Edwards and Eric Burneson, by the end of July
Thanks!
S.
Sara D. DeCair
http://www.epa.gov/radiation/rert/pags.html
202-343-9108

To: DeCair, Sara[DeCair.Sara@epa.gov]; Veal, Lee[Veal.Lee@epa.gov]

Cc: Hernandez-Quinones, Samuel[Hernandez.Samuel@epa.gov]; Ellis, Jerry[Ellis.Jerry@epa.gov]

From: Christ, Lisa

Sent: Wed 9/3/2014 9:00:01 PM

Subject: RE: quick review? Briefing request for Water, Air AAs

Hi Sara -

This likes fine. Ken is actually the Deputy AA (since he hasn't been confirmed) for now. The proposed dates look good.

Thanks-

Lisa

From: DeCair, Sara

Sent: Wednesday, September 03, 2014 4:36 PM

To: Christ, Lisa; Veal, Lee

Cc: Hernandez-Quinones, Samuel; Ellis, Jerry

Subject: quick review? Briefing request for Water, Air AAs

Connie,

This is a recycled scheduling request agreed to by OW and us, for getting to our AAs by the end of October. We had to cancel the prior set of briefings but much of the information is similar. Can you coordinate with Paula Mason from the DDs level to start this process?

Meeting request for Janet McCabe and Ken Kopocis, AAs of Air and DAA of Water, respectively: "Protective actions for drinking water in a radiological incident."

One hour, before Oct. 17, 2014 if at all possible. Briefing materials will be provided in advance.

Key participants:
- Mike Flynn, Peter Grevatt, Jon Edwards, Alan Perrin, Eric Burneson, Lee Veal, Lisa Christ, Sam Hernandez-Quinones, Sara DeCair
Additional invitees:
Additional mytees.
- Jerry Ellis, Mike Boyd
Pre-briefs requested beforehand:
Office Directors Mike Flynn and Peter Grevatt before Oct. 3, 2014 if possible.
Office Directors which repair and reter Grevatt before Oct. 5, 2014 it possible.
Division Directors Jon Edwards and Eric Burneson before Sept. 19 if possible.
Thank you so much! Please let me know if you need further details or if I can lend a hand in any way.
Sara D. DeCair
http://www.epa.gov/radiation/rert/pags.html
202-343-9108
new office
Room 1416 B in WJC West

1200 Pennsylvania Ave., NW

Washington, D.C.

To: Hernandez-Quinones, Samuel[Hernandez.Samuel@epa.gov]

Cc: Ellis, Jerry[Ellis.Jerry@epa.gov]

From: Christ, Lisa

Sent: Wed 8/27/2014 8:16:02 PM
Subject: RE: a couple things
Draft Water PAG FRN language.docx

Hi Sam,

Based on our discussion yesterday, I moved some sections and edited others. I also added headers to help guide the reader. Please merge my revisions with your revisions into one document.

Let's meet next week to discuss the revised draft.

Thanks-

Lisa

From: Hernandez-Quinones, Samuel **Sent:** Monday, August 25, 2014 5:46 PM

To: Christ, Lisa

Subject: RE: a couple things

Lisa this is the language provided by the Office of Air.

Sam

Samuel Hernández Quiñones, P.E. Environmental Engineer Environmental Protection Agency Office of Water 1200 Pennsylvania Ave. NW Washington, DC 20460 202-564-1735

Once it's approved over there, send it back to us to distribute as advance reading before Wednesday's meeting. Thanks, and see you next week!
Sara
Sara D. DeCair
http://www.epa.gov/radiation/rert/pags.html
202-343-9108

To: Veal, Lee[Veal.Lee@epa.gov]

From: Christ, Lisa

Sent: Tue 3/18/2014 8:35:56 PM

Subject: RE: Some edits to H2O briefing; due Monday

Of course, we may need/want input from Bob P. We're hopeful our AA can give us some guidance on levels/ranges.

From: Veal, Lee

Sent: Tuesday, March 18, 2014 3:20 PM

To: Christ, Lisa

Subject: RE: Some edits to H2O briefing; due Monday

Thank you!

Lee Ann B. Veal

Director, Center for Radiological Emergency Management

Radiation Protection Division, ORIA, OAR

Office: 202-343-9448

Cell: 202-617-4322

www.cpa.gov/radiation

From: Christ, Lisa

Sent: Tuesday, March 18, 2014 3:18 PM

To: Veal, Lee

Subject: RE: Some edits to H2O briefing; due Monday

Hi Lee,

This Wednesday's briefing is to get agreement on the approach. May is when we'd like a decision on the value or range for a drinking water PAG from OW..

Lisa

From: Veal, Lee

Sent: Tuesday, March 18, 2014 1:42 PM

To: Christ, Lisa

Subject: RE: Some edits to H2O briefing; due Monday

Hi Lisa,

Is that a decision on levels or on the overall approach?

Lee

Lee Ann B. Veal

Director, Center for Radiological Emergency Management

Radiation Protection Division, ORIA, OAR

Office: 202-343-9448

Cell: 202-617-4322

Hi Sara,

I wanted to catch up after our email exchange yesterday. I've attached the briefing document that incorporates my revisions. I moved the precautionary actions out of the table and into a new section. Let me know if we need to make any other changes or you'd like to discuss mine.

Thanks-

Lisa

From: DeCair, Sara

Sent: Friday, March 14, 2014 5:11 PM

To: Hernandez-Quinones, Samuel; Christ, Lisa; Ellis, Jerry

Cc: Perrin, Alan; Veal, Lee; Edwards, Jonathan **Subject:** Some edits to H2O briefing; due Monday

Sam,

I made several cosmetic changes in the attached version (you can see the redline if you switch to Final Showing Markup in Word) and decoupled the Precautionary Actions from the risk numbers so that each risk level/concentration doesn't have a specific action, but decision makers would have choices among many optional actions. See what you think, and by all means reject any changes that you don't think improve the paper.

Once it's approved over there, send it back to us to distribute as advance reading before Wednesday's meeting. Thanks, and see you next week!

Sara

Sara D. DeCair

 $\underline{http://www.epa.gov/radiation/rert/pags.html}$

202-343-9108

To: DeCair, Sara[DeCair.Sara@epa.gov]; Veal, Lee[Veal.Lee@epa.gov]; Hernandez-Quinones,

Samuel[Hernandez.Samuel@epa.gov]; Ellis, Jerry[Ellis.Jerry@epa.gov]

Cc: Perrin, Alan[Perrin.Alan@epa.gov]; Edwards, Jonathan[Edwards.Jonathan@epa.gov];

Burneson, Eric[Burneson.Eric@epa.gov]

From: Christ, Lisa

Sent: Wed 3/19/2014 12:53:23 PM

Subject: RE: Plz choose final version & send to Mike Flynn: H2O briefing

Grevatt-Flynn Briefing PAGs 3-18-2014 SHQ.docx

Hi Sara,

I've attached the version Sam sent Peter yesterday. I think the content is mostly the same between the two versions, with a slight difference in presentation of the "potential protective actions". We're happy to make changes if you'd like and we can print revised copies before the meeting.

Lisa

From: DeCair, Sara

Sent: Wednesday, March 19, 2014 8:34 AM

To: Christ, Lisa; Veal, Lee; Hernandez-Quinones, Samuel; Ellis, Jerry

Cc: Perrin, Alan; Edwards, Jonathan; Burneson, Eric

Subject: Plz choose final version & send to Mike Flynn: H2O briefing

Hi all, sorry if my being out the last two days caused any last minute mix of versions of this briefing! I'm hosting an ORD briefing til 11 am so I can't respond to email or phone calls.

Attached are two versions I got yesterday about 2:45 pm and if OW could choose which clean version you'd like to go with as final, I hope we can send it to Mike Flynn this morning. He was just asking for a read-ahead. I can make copies before we come over.

Thanks for all your work on this and see you later this afternoon,

Sara

From: Christ, Lisa

Sent: Tuesday, March 18, 2014 12:07 PM

To: Veal, Lee; DeCair, Sara; Hernandez-Quinones, Samuel; Ellis, Jerry

Cc: Perrin, Alan; Edwards, Jonathan; Burneson, Eric Subject: RE: Some edits to H2O briefing; due Monday

Hi Lee,

We're planning to brief OW decision makers on the table described below in mid/late May.

Our intent is to have an OW decision at this briefing.

Lisa

From: Veal, Lee

Sent: Tuesday, March 18, 2014 11:53 AM

To: Christ, Lisa; DeCair, Sara; Hernandez-Quinones, Samuel; Ellis, Jerry

Cc: Perrin, Alan; Edwards, Jonathan; Burneson, Eric **Subject:** RE: Some edits to H2O briefing; due Monday

Lisa,

Thank you so much for the edits and markup.

Would it be possible to identify any scheduling information for when key items might be available? I suspect that Mike will be asking. I am thinking most specifically about these next items:

SRMD Proposed Approach for Developing Options for a Drinking Water PAG

cos

- SRMD will prepare a table with a range of dose values based on resulting projected risks for different targeted sub populations and different time scales.
- **o** The table will provide detailed information for EPA leadership to select a drinking water PAG.
- **o** Select a single PAG value or a range of values to allow state and local emergency responders increased flexibility.

Lee			

Lee Ann B. Veal

Director, Center for Radiological Emergency Management

Radiation Protection Division, ORIA, OAR

Office: 202-343-9448

Cell: 202-617-4322

www.epa.gov/radiation

From: Christ, Lisa

Sent: Tuesday, March 18, 2014 9:02 AM

To: DeCair, Sara; Hernandez-Quinones, Samuel; Ellis, Jerry **Cc:** Perrin, Alan; Veal, Lee; Edwards, Jonathan; Burneson, Eric

Subject: RE: Some edits to H2O briefing; due Monday

Hi Sara,

I wanted to catch up after our email exchange yesterday. I've attached the briefing
document that incorporates my revisions. I moved the precautionary actions out of the
table and into a new section. Let me know if we need to make any other changes or
you'd like to discuss mine.

Thanks-

Lisa

From: DeCair, Sara

Sent: Friday, March 14, 2014 5:11 PM

To: Hernandez-Quinones, Samuel; Christ, Lisa; Ellis, Jerry

Cc: Perrin, Alan; Veal, Lee; Edwards, Jonathan **Subject:** Some edits to H2O briefing; due Monday

Sam,

I made several cosmetic changes in the attached version (you can see the redline if you switch to Final Showing Markup in Word) and decoupled the Precautionary Actions from the risk numbers so that each risk level/concentration doesn't have a specific action, but decision makers would have choices among many optional actions. See what you think, and by all means reject any changes that you don't think improve the paper.

Once it's approved over there, send it back to us to distribute as advance reading before Wednesday's meeting. Thanks, and see you next week!

Sara

Sara D. DeCair

http://www.epa.gov/radiation/rert/pags.html

202-343-9108

To: Burneson, Eric[Burneson.Eric@epa.gov]

From: Christ, Lisa

Sent: Tue 3/18/2014 8:34:19 PM

Subject: FW: Document for Peter's Briefing on 3/19/14 DW PAGs

Grevatt-Flynn Briefing PAGs 3-18-2014 SHQ.docx

Briefing for Peter Grevatt compare.docx

I've also attached a redline/strikeout comparison to the briefing for Peter.

From: Hernandez-Quinones, Samuel **Sent:** Tuesday, March 18, 2014 4:28 PM **To:** Lopez-Carbo, Maria; Mason, Paula

Cc: Christ, Lisa

Subject: Document for Peter's Briefing on 3/19/14 DW PAGs

Document for Peter's Joint Briefing with Mike Flynn is Attached.

Thank You

Sam

Samuel Hernández Quiñones, P.E. Environmental Engineer Environmental Protection Agency Office of Water 1200 Pennsylvania Ave. NW Washington, DC 20460 202-564-1735

"USEPA Protecting Human Health and the Environment"

Sara

Sara D. DeCair

http://www.epa.gov/radiation/rert/pags.html

202-343-9108

To: Veal, Lee[Veal.Lee@epa.gov]

From: Christ, Lisa

Sent: Tue 3/18/2014 7:18:09 PM

Subject: RE: Some edits to H2O briefing; due Monday

Hi Lee,

This Wednesday's briefing is to get agreement on the approach. May is when we'd like a decision on the value or range for a drinking water PAG from OW..

Lisa

From: Veal, Lee

Sent: Tuesday, March 18, 2014 1:42 PM

To: Christ, Lisa

Subject: RE: Some edits to H2O briefing; due Monday

Hi Lisa,

Is that a decision on levels or on the overall approach?

Lee

Lee Ann B. Veal

Director, Center for Radiological Emergency Management

Radiation Protection Division, ORIA, OAR

Office: 202-343-9448

Cell: 202-617-4322

Hi Sara,

I wanted to catch up after our email exchange yesterday. I've attached the briefing document that incorporates my revisions. I moved the precautionary actions out of the table and into a new section. Let me know if we need to make any other changes or you'd like to discuss mine.

Thanks-

Lisa

From: DeCair, Sara

Sent: Friday, March 14, 2014 5:11 PM

To: Hernandez-Quinones, Samuel; Christ, Lisa; Ellis, Jerry

Cc: Perrin, Alan; Veal, Lee; Edwards, Jonathan **Subject:** Some edits to H2O briefing; due Monday

Sam,

I made several cosmetic changes in the attached version (you can see the redline if you switch to Final Showing Markup in Word) and decoupled the Precautionary Actions from the risk numbers so that each risk level/concentration doesn't have a specific action, but decision makers would have choices among many optional actions. See what you think, and by all means reject any changes that you don't think improve the paper.

Once it's approved over there, send it back to us to distribute as advance reading before Wednesday's meeting. Thanks, and see you next week!

Sara

To: Hernandez-Quinones, Samuel[Hernandez.Samuel@epa.gov]; Ellis, Jerry[Ellis.Jerry@epa.gov]

From: Christ, Lisa

Sent: Tue 3/18/2014 3:57:34 PM

Subject: FW: Some edits to H2O briefing; due Monday

Can we provide a tentative date for when we'll be prepared to come back to decision makers with the table?

From: Veal, Lee

Sent: Tuesday, March 18, 2014 11:53 AM

To: Christ, Lisa; DeCair, Sara; Hernandez-Quinones, Samuel; Ellis, Jerry

Cc: Perrin, Alan; Edwards, Jonathan; Burneson, Eric **Subject:** RE: Some edits to H2O briefing; due Monday

Lisa,

Thank you so much for the edits and markup.

Would it be possible to identify any scheduling information for when key items might be available? I suspect that Mike will be asking. I am thinking most specifically about these next items:

SRMD Proposed Approach for Developing Options for a Drinking Water PAG

- SRMD will prepare a table with a range of dose values based on resulting projected risks for different targeted sub populations and different time scales.
- **o** The table will provide detailed information for EPA leadership to select a drinking water PAG.
- **o** Select a single PAG value or a range of values to allow state and local emergency responders increased flexibility.

Ŧ		_	_
- 1	- 1	_	ω

Lee Ann B. Veal

Director, Center for Radiological Emergency Management

Radiation Protection Division, ORIA, OAR

Office: 202-343-9448

Cell: 202-617-4322

www.epa.gov/radiation

From: Christ, Lisa

Sent: Tuesday, March 18, 2014 9:02 AM

To: DeCair, Sara; Hernandez-Quinones, Samuel; Ellis, Jerry **Cc:** Perrin, Alan; Veal, Lee; Edwards, Jonathan; Burneson, Eric

Subject: RE: Some edits to H2O briefing; due Monday

Hi Sara,

I wanted to catch up after our email exchange yesterday. I've attached the briefing document that incorporates my revisions. I moved the precautionary actions out of the table and into a new section. Let me know if we need to make any other changes or you'd like to discuss mine.

Thanks-

Lisa

From: DeCair, Sara

Sent: Friday, March 14, 2014 5:11 PM

To: Hernandez-Quinones, Samuel; Christ, Lisa; Ellis, Jerry

Cc: Perrin, Alan; Veal, Lee; Edwards, Jonathan **Subject:** Some edits to H2O briefing; due Monday

Sam,

I made several cosmetic changes in the attached version (you can see the redline if you switch to Final Showing Markup in Word) and decoupled the Precautionary Actions from the risk numbers so that each risk level/concentration doesn't have a specific action, but decision makers would have choices among many optional actions. See what you think, and by all means reject any changes that you don't think improve the paper.

Once it's approved over there, send it back to us to distribute as advance reading before Wednesday's meeting. Thanks, and see you next week!

Sara

Sara D. DeCair

http://www.epa.gov/radiation/rert/pags.html

202-343-9108

To: Veal, Lee[Veal.Lee@epa.gov]; DeCair, Sara[DeCair.Sara@epa.gov]; Hernandez-Quinones,

Samuel[Hernandez.Samuel@epa.gov]; Ellis, Jerry[Ellis.Jerry@epa.gov]

Cc: Perrin, Alan[Perrin.Alan@epa.gov]; Edwards, Jonathan[Edwards.Jonathan@epa.gov];

Burneson, Eric[Burneson.Eric@epa.gov]

From: Christ, Lisa

Sent: Tue 3/18/2014 4:07:26 PM

Subject: RE: Some edits to H2O briefing; due Monday

Hi Lee,

We're planning to brief OW decision makers on the table described below in mid/late May.

Our intent is to have an OW decision at this briefing.

Lisa

From: Veal, Lee

Sent: Tuesday, March 18, 2014 11:53 AM

To: Christ, Lisa; DeCair, Sara; Hernandez-Quinones, Samuel; Ellis, Jerry

Cc: Perrin, Alan; Edwards, Jonathan; Burneson, Eric Subject: RE: Some edits to H2O briefing; due Monday

Lisa,

Thank you so much for the edits and markup.

Would it be possible to identify any scheduling information for when key items might be available? I suspect that Mike will be asking. I am thinking most specifically about these next items:

SRMD Proposed Approach for Developing Options for a Drinking Water PAG

100

- SRMD will prepare a table with a range of dose values based on resulting projected risks for different targeted sub populations and different time scales.
- **o** The table will provide detailed information for EPA leadership to select a drinking water PAG.
- **o** Select a single PAG value or a range of values to allow state and local emergency responders increased flexibility.

Lee			

Lee Ann B. Veal

Director, Center for Radiological Emergency Management

Radiation Protection Division, ORIA, OAR

Office: 202-343-9448

Cell: 202-617-4322

www.epa.gov/radiation

From: Christ, Lisa

Sent: Tuesday, March 18, 2014 9:02 AM

To: DeCair, Sara; Hernandez-Quinones, Samuel; Ellis, Jerry **Cc:** Perrin, Alan; Veal, Lee; Edwards, Jonathan; Burneson, Eric

Subject: RE: Some edits to H2O briefing; due Monday

Hi Sara,

I wanted to catch up after our email exchange yesterday. I've attached the briefing
document that incorporates my revisions. I moved the precautionary actions out of the
table and into a new section. Let me know if we need to make any other changes or
you'd like to discuss mine.

Thanks-

Lisa

From: DeCair, Sara

Sent: Friday, March 14, 2014 5:11 PM

To: Hernandez-Quinones, Samuel; Christ, Lisa; Ellis, Jerry

Cc: Perrin, Alan; Veal, Lee; Edwards, Jonathan **Subject:** Some edits to H2O briefing; due Monday

Sam,

I made several cosmetic changes in the attached version (you can see the redline if you switch to Final Showing Markup in Word) and decoupled the Precautionary Actions from the risk numbers so that each risk level/concentration doesn't have a specific action, but decision makers would have choices among many optional actions. See what you think, and by all means reject any changes that you don't think improve the paper.

Once it's approved over there, send it back to us to distribute as advance reading before Wednesday's meeting. Thanks, and see you next week!

Sara

Sara D. DeCair

http://www.epa.gov/radiation/rert/pags.html

202-343-9108

To: Lopez-Carbo, Maria[Lopez-Carbo.Maria@epa.gov]

Cc: Burneson, Eric[Burneson.Eric@epa.gov], Hernandez-Quinones,

Samuel[Hernandez.Samuel@epa.gov]; Ellis, Jerry[Ellis.Jerry@epa.gov]; Oshida,

Phil[Oshida.Phil@epa.gov]
From: Christ, Lisa

Sent: Tue 2/11/2014 8:41:56 PM
Subject: Briefing Paper for Rads PAG
Grevatt Briefing PAGs Feb 2014 Ver5.docx

Hi Maria-

Attached is the briefing paper for tomorrow's meeting with Peter on the drinking water radiation Protective Action Guide (PAG).

.....

Lisa Christ, Associate Chief

Targeting and Analysis Branch

Office of Ground Water and Drinking Water

USEPA

1200 Pennsylvania Ave NW Washington, DC 20460-0001 phone: 202.564.8354 fax: 202.564-3760

Mail Code: 4607M

To: Grevatt, Peter[Grevatt.Peter@epa.gov]

Cc: Burneson, Eric[Burneson.Eric@epa.gov]; Hernandez-Quinones, Samuel[Hernandez.Samuel@epa.gov]; Ellis, Jerry[Ellis.Jerry@epa.gov]

From: Christ, Lisa

Sent: Wed 2/19/2014 6:28:54 PM Subject: Radiation PAG Letters

080509LetterToEPA.pdf

Grp Ltr to EPA on Rad Issues 8-15-11.pdf

Peter,

During last week's briefing on the drinking water radiation PAG, I mentioned letters submitted by enviro groups raising concerns about potential drinking water PAG values that are greater than the MCL. The letters are attached and include the report they developed entitled "PROPOSED WEAKENING OF PROTECTIVE ACTION GUIDES (PAGs) FOR RADIOLOGICAL RELEASES" which was "cited" in some public comments received on the draft manual.

Lisa

To: Lopez-Carbo, Maria[Lopez-Carbo.Maria@epa.gov]

Cc: Burneson, Eric[Burneson.Eric@epa.gov]; Hernandez-Quinones, Samuel[Hernandez.Samuel@epa.gov]; Ellis, Jerry[Ellis.Jerry@epa.gov]

From: Christ, Lisa

Sent: Tue 2/18/2014 10:07:18 PM
Subject: FW: Briefing Paper for Rads PAG
Grevatt Briefing PAGs Feb 2014 Ver5.docx

Hi Maria,

We'll use the same briefing paper for the joint OGWDW/ORIA briefing tomorrow.

Lisa

From: Christ, Lisa

Sent: Tuesday, February 11, 2014 3:42 PM

To: Lopez-Carbo, Maria

Cc: Burneson, Eric; Hernandez-Quinones, Samuel; Ellis, Jerry; Oshida, Phil

Subject: Briefing Paper for Rads PAG

Hi Maria-

Attached is the briefing paper for tomorrow's meeting with Peter on the drinking water radiation Protective Action Guide (PAG).

Lisa Christ, Associate Chief

Targeting and Analysis Branch

Office of Ground Water and Drinking Water

USEPA

1200 Pennsylvania Ave NW Washington, DC 20460-0001 phone: 202.564.8354 fax: 202.564-3760

Mail Code: 4607M

To: Burneson, Eric[Burneson.Eric@epa.gov]

From: Christ, Lisa

Wed 2/19/2014 3:44:30 PM Sent: Subject: revised PAG briefing paper Grevatt Briefing PAGs Feb 2014 Ver5 lc.docx

Let me know if you 'd like additional changes.. If not, I'll finalize and get to Maria and ORIA

Lisa

To: Lopez-Carbo, Maria[lopez-carbo.maria@epa.gov]

Cc: Hernandez-Quinones, Samuel[hernandez.samuel@epa.gov]; Ellis, Jerry[Ellis.Jerry@epa.gov];

Burneson, Eric[burneson.eric@epa.gov]; Mason, Paula[Mason.Paula@epa.gov]

From: Christ, Lisa

Sent: Fri 5/2/2014 6:26:48 PM

Subject: Materials for Radiation PAG Brief on May 5

Brieifng for PGrevatt SHQ 5-1 LC.docx

Hi Maria,

Attached are the materials for Monday's pre-brief for Peter.

Thanks and have a great weekend!

Lisa

Lisa Christ, Acting Chief

Targeting and Analysis Branch

Office of Ground Water and Drinking Water

USEPA

1200 Pennsylvania Ave NW Washington, DC 20460-0001 phone: 202.564.8354 fax: 202.564-3760

Mail Code: 4607M

To: Hernandez-Quinones, Samuel[hernandez.samuel@epa.gov] Christ, Lisa From: Fri 5/2/2014 6:29:21 PM Sent: Subject: FW: Materials for Radiation PAG Brief on May 5 Brieifng for PGrevatt SHQ 5-1 LC.docx Hi Sam, I spoke with Eric last night about how best to go over the equations, etc with Peter. We agreed to move it to the an appendix and we'll offer Peter a quick tutorial if he wants. If he doesn't feel he needs it we'll go straight to the briefing. I made a few other minor wording changes too. Thanks-Lisa From: Christ, Lisa Sent: Friday, May 02, 2014 2:27 PM To: Lopez-Carbo, Maria Cc: Hernandez-Quinones, Samuel; Ellis, Jerry; Burneson, Eric; Mason, Paula Subject: Materials for Radiation PAG Brief on May 5 Hi Maria, Attached are the materials for Monday's pre-brief for Peter.

Thanks and have a great weekend!

Lisa

Lisa Christ, Acting Chief

Targeting and Analysis Branch

Office of Ground Water and Drinking Water

USEPA

1200 Pennsylvania Ave NW Washington, DC 20460-0001 phone: 202.564.8354 fax: 202.564-3760

Mail Code: 4607M

To: Burneson, Eric[burneson.eric@epa.gov]

From: Christ, Lisa

Sent: Mon 5/12/2014 6:22:40 PM

Subject: FW: draft Water briefing for ODs -- Sara's markup Joint Brief Grevatt-Flynn Sara markup 5-8-2014.docx

FYI - ORIA's suggested revisions to the briefing document we used with Peter.

From: DeCair, Sara

Sent: Thursday, May 08, 2014 12:41 PM

To: Hernandez-Quinones, Samuel; Ellis, Jerry; Christ, Lisa; Veal, Lee

Subject: draft Water briefing for ODs -- Sara's markup

Sam,

I didn't do all the deletions that I am suggesting, but I hope I've provided enough of my perspective to help you decide which of my edits to take. It's easier to look at with "No Markup" but see what you think about my adjusted Recommendations, the table, and a shorter timeline that focuses on things ODs would care about.

Lee helped me with these suggestions and I'm sure between you, me, Lisa and Lee, we can get a very good version together for our next pre-briefing which is at 2:30 pm on Monday, via phone bridge. Call or write with any questions or concerns – thanks!!

Sara

Sara D. DeCair

http://www.epa.gov/radiation/rert/pags.html

202-343-9108

To: Burneson, Eric[burneson.eric@epa.gov]

From: Christ, Lisa

Sent: Mon 5/12/2014 6:23:42 PM

Subject: FW: draft briefing paper for reds PAG??? Joint Briefing PGrevatt-Flynn May-12 SHQ.docx

From: Hernandez-Quinones, Samuel Sent: Monday, May 12, 2014 2:23 PM

To: Christ, Lisa

Subject: RE: draft briefing paper for rads PAG???

see attached.

Sam

Samuel Hernández Quiñones, P.E. Environmental Engineer Environmental Protection Agency Office of Water 1200 Pennsylvania Ave. NW Washington, DC 20460 202-564-1735

"USEPA Protecting Human Health and the Environment"

From: Christ, Lisa

Sent: Monday, May 12, 2014 2:16 PM **To:** Hernandez-Quinones, Samuel

Subject: draft briefing paper for rads PAG???

Do you have the revised document ready so we can discuss during the call?

Thanks-

Lisa Christ, Acting Chief

Targeting and Analysis Branch

Office of Ground Water and Drinking Water

USEPA

1200 Pennsylvania Ave NW Washington, DC 20460-0001 phone: 202.564.8354 fax: 202.564-3760

Mail Code: 4607M

From: Beauvais, Joel

Location: EPA 1201 Constitution Ave NW, Washington DC 20004 WJCE 3233

Please call 202-564-5700 for escort **Importance:** Normal

Subject: Drinking Water PAGs Call in 1-866-299-3188 passcode 2029992299

Start Date/Time: Thur 1/5/2017 8:00:00 PM **End Date/Time:** Thur 1/5/2017 9:00:00 PM

Real ID Information.pdf

updated attendees WATER PAGs jan 5 2017 meeting with Office of Water.pdf

From: DeCair, Sara

Location: EPA East Rm. 1153

Importance: Normal

Subject: Water PAG presentation at Interagency Steering Committee on Radiation Standards

Start Date/Time: Wed 2/10/2016 8:00:00 PM End Date/Time: Wed 2/10/2016 9:00:00 PM

Wednesday, February 10, 2016

1:00 pm - 4:00 pm

Environmental Protection Agency William Jefferson Clinton Building East

1201Constitution Avenue, NW Room 1153

Washington, DC

Introduction/Opening Jon Edwards, EPA 1:00 pm - 1:05 pm Vincent Holahan, NRC Remarks

Miroslav Pinak, IAEA IAEA Program in Radiation 1:05 pm - 2:05 pm

Safety - Basis Safety Standards and Beyond

LNT Update and Roundtable 2:05 pm - 3:05 pm Jerry Puskin, EPA Discussion Vince Holahan, NRC

Break

3:05 pm - 3:10 pm

Health and Safety Planning 3:10 pm - 3:30 pm John MacKinney, DHS

Guide For Planners, Safety Officers and Supervisors For **Protecting Responders**

Following A Nuclear Detonation

PAGS Update on Drinking 3:30 pm - 4:00 pm Sara DeCair, EPA Lisa Christ, EPA

Water Proposal

Subcommittees Updates

Federal Guidance 4:00 pm - 4:05 pm Mike Boyd, EPA From: Veal, Lee

Location: DCRoomWest1424/OPEI

Importance: Normal

Subject: Review of PAG Material - Comments, Adjudication and Draft Text

Start Date/Time: Tue 12/15/2015 2:00:00 PM Tue 12/15/2015 3:00:00 PM

Finalization proposal for EPA Internal Team 12-10-2015.docx

Redline PAG Manual 12-14-2015.docx Cmt Resolution 12-14-2015.xlsx

Our Office Directors/designees are meeting on Thursday, December 17 to discuss the schedule for finalizing the PAG Manual (full manual, not just the drinking water portion).

I suggest we spend some time before then to share the comments received and our draft changes to the full manual from the 2013 published version. I'll send a separate email with the comments received and the redline of the full manual. IF you'd like to see what was published in 2013 and the comments, here is the link: http://www.epa.gov/radiation/protective-action-guides-pags

We have a conference room in EPA West, 1st floor, room 1424. We will also have a webinar set up if you'd like to take this conference call from your location. Here is that link:

http://epawebconferencing.acms.com/r4ur9l13ifi/

Audio: 1-866-299-3188, 343 9448#

<u>Finalization proposal for EPA Internal Team 12-10-2015.docx</u> <u>Redline PAG Manual 12-14-2015.docx</u> <u>Cmt Resolution 12-14-2015.xlsx</u>

From: Penman, Crystal
Location: 3233 WJCE
Importance: Normal

Subject: Drinking Water Protective Action Guideline Start Date/Time: Fri 12/4/2015 2:30:00 PM
End Date/Time: Fri 12/4/2015 3:00:00 PM

Drinking Water PAGs Meeting Request.pdf

Drinking Water PAG Background on Radionuclides and PAG 11 30 15.docx

<u>Drinking Water PAG PAGs 101 10-17-2014.ppt</u> <u>Drinking Water PAG OW AA brief 12 4 15.docx</u>

Drinking Water PAG Timeline for PAG Manual 10-2-2015 V2.docx

<u>Drinking Water PAGs Meeting Request.pdf</u> <u>Drinking Water PAG Background on Radionuclides and PAG</u>

11 30 15.docx <u>Drinking Water PAG PAGs 101 10-17-2014.ppt Drinking Water PAG OW AA brief</u>

12 4 15.docx <u>Drinking Water PAG Timeline for PAG Manual 10-2-2015 V2.docx</u>

From: Veal, Lee

Location: DCRoomWest1424/OPEI

Importance: Normal Subject: PAG comment review

Start Date/Time: Thur 8/13/2015 1:30:00 PM Thur 8/13/2015 2:30:00 PM

draft OSWER Comments on draft water PAG 080315.docx

<u>Draft Protective Action Guide 6-16-2015 OGWDW_OSWER Comments 080315.docx</u>

Subject: Branch Chief overview of OSWER comments on Water PAG draft (ODs will meet later in August, technical staff can meet as their schedules permit)

OW and OAR are suggesting this approach as it promotes our getting a draft Water PAG out for public review quickly. I'm attaching the comments for reference. I suggest that we focus on the overarching comments document as a first priority. Thanks

EPA West 1424

From: Christ, Lisa Location: @LC Importance: Normal Subject: radiation PAG

Thur 4/16/2015 1:00:00 PM Start Date/Time: Thur 4/16/2015 2:00:00 PM End Date/Time:

Revised Version 4-14- Draft Chapter Drinking Water PAG V1.docx

Drinking Water PAG Q&A.docx

DRAFT Drinking Water PAG Communications Plan 4-15-2015.doc PAG Action Memo Water 4-1-2015 J Ellis suggestions.docx

Jon Edwards called Eric to express concern about the schedule slipping. Let's discuss the revised chapter, comm materials and the schedule.

MEMORANDUM

SUBJECT: Addition to Protective Action Guides Manual for Radiological Incidents; Notice

(Tier 4, SAN 5198) – ACTION MEMORANDUM

FROM: Ken Kopocis,

Acting Assistant Administrator, OW

Janet McCabe,

Assistant Administrator, OAR

TO: Stan Meiburg

Deputy Administrator

Attached for your signature is the *Federal Register* notice announcing availability of a proposed drinking water guidance for radiological emergencies (hereinafter referred to as drinking water PAG), which is a key addition to the Agency's revision of the Protective Action Guides and Planning Guidance for Radiological Incidents ("PAG Manual"). The purpose of the PAG Manual is to help federal, state, and local authorities make radiation protection decisions to protect the public during radiological emergencies. This *Federal Register* notice requests comments on the proposed drinking water PAG e, which was a key gap highlighted in the public comments on a revised PAG Manual that we published for public comment and interim use in 2013.

BACKGROUND

The PAG Manual provides federal, state, and local emergency management officials with guidance for responding to radiological emergencies. A protective action guide (PAG) is the projected dose to an individual from a release of radioactive material at which a specific protective action to reduce or avoid that dose is recommended. Emergency management officials use PAGs for making decisions regarding actions to protect the public from exposure to radiation during an emergency. Such actions include, but are not limited to, evacuation, shelter-in-place, temporary relocation, access restrictions and food embargos. The PAGs are not legally binding regulations or standards and do not supersede any environmental laws or regulations. They are not intended to define "safe" or "unsafe" levels of exposure or contamination. They define the projected radiation doses at which specific actions may be warranted in order to reduce or avoid that dose. The PAG Manual provides flexibility to be more or less restrictive as deemed appropriate by decision makers based on the unique characteristics of the incident and the local situation.

Development of PAGs are based on the following essential principles, which also apply to the selection of any protective action during an incident—

- prevent acute effects
- balance protection with other important factors and ensure that actions result in more benefit than harm
- reduce risk of chronic effects.

A drinking water PAG is the projected dose of radiation to an individual through consumption of drinking water at which a specific protective action—provide alternative drinking water—to reduce or avoid that dose is recommended.

- The primary pathway of concern for short-term exposure to water is drinking, not bathing or other uses.
- During emergencies, water systems could restrict the use of contaminated water for drinking purposes and provide alternative drinking water for the affected community.
- Options for providing alternate drinking water could include: bottled water, altering the source
 water (such as switching to ground water), interconnection between systems, or a combination of
 these actions.

The drinking water PAG consists of a two-tiered intermediate phase PAG of 100 mrem projected dose in the first year for infants, children and pregnant women and 500 mrem projected dose in the first year for the general population. The protective action is to restrict the use of contaminated water for drinking purposes and to provide alternative drinking water for the affected community. Options for providing alternate drinking water could include: bottled water, altering the raw water source of a water system, interconnection between systems, or a combination of these.

Under the Safe Drinking Water Act (SDWA), the Agency has established MCLs for radiological contaminants in drinking water. The National Primary Drinking Water Regulations (NPDWR) for radionuclides established a dose-based limit of 4 mrem/yr for beta particle and photon radioactivity; based on lifetime exposure criteria, which assume 70 years of continued exposure to contaminants in drinking water. The Agency determined that it is not appropriate to base response measures during short-term emergency incidents on lifetime exposure criteria. While the SDWA framework is appropriate for normal operations, it does not provide the necessary tools to assist emergency responders with determining the need for an immediate protective action. Regardless of the cause of an incident, EPA expects that any drinking water system impacted during a radiation incident will take action to return to compliance with the NPDWR levels as soon as practical.

REGULATORY HISTORY

The Administrator of EPA assumed all the functions of the Federal Radiation Council in 1970, including the charge to "...advise the President with respect to radiation matters, directly or indirectly affecting health, including guidance for all federal agencies in the formulation of radiation standards and in the establishment and execution of programs of cooperation with States." EPA's role in PAGs development was reaffirmed by FEMA regulations and the Nuclear/Radiological Incident Annex of the National Response Framework in June 2008.

IMPACTS

The drinking water PAG is not regulatory; however, it does influence regulations of the Federal

Emergency Management Agency and Nuclear Regulatory Commission regarding emergency preparedness near nuclear power plants and for homeland security. Specific statements in the document remind the users that the guidance is flexible, and that incident-specific conditions may warrant using judgment when taking protective actions. This proposed drinking water PAG does not modify existing Federal regulations or policies. The drinking water PAG relieves state, local, and tribal emergency preparedness entities of the need to independently derive radiation levels at which to take protective actions. The drinking water PAG provides a common platform from which emergency managers may make consistent decisions to protect public health; it raises no environmental justice issues because it applies to all members of the public equally.

The PAG Manual is for temporary measures in radiological emergencies and is not intended to impact site cleanups occurring under other statutory authorities such as EPA's Superfund program, the NRC's decommissioning program, or other federal or state cleanup programs.

This proposed addition of the drinking water PAG will make the revised PAG Manual more complete, covering all exposure pathways for impacts from a radiological emergency. Industry, state and professional organizations in radiation protection requested that this guidance be provided in comments on the 2013 PAG Manual revision and this proposal is responsive to their specific concerns.

STAKEHOLDER INVOLVEMENT

The primary users of the PAG Manual are state, local and tribal radiological preparedness organizations. A key audience for this proposed drinking water PAG is the drinking water industry. This proposal considers suggestions in comments received in 2013, and provides practical application strategies for emergency managers in state, local and tribal government organizations.

Document development and reviews have been conducted in close cooperation with the following departments and agencies on the PAGs Subcommittee of the Federal Radiological Preparedness Coordinating Committee (FRPCC): Department of Energy (DOE), the Department of Defense (DOD), the Department of Homeland Security (DHS) including the Federal Emergency Management Agency (FEMA), the Nuclear Regulatory Commission (NRC), the Department of Health and Human Services (HHS), including the Centers for Disease Control and Prevention (CDC) and the Food and Drug Administration (FDA), the Department of Agriculture (USDA), and the Department of Labor (DOL).

INTERNAL REVIEW

This is a Tier 4 action.

Within EPA, OSRTI (including the Environmental Response Team), OEM (including the Consequence Management Advisory Team), OW, OGC (ARLO and WLO) and OHS were briefed on this proposal and provided review. No major issues were identified and the reviewing offices agreed the document should be published for public review and comment.

OMB TRANSACTION

Because of interaction with other Department and Agency recommendations, OMB reviewed this proposal under EO 12866 & 13563. OMB clearance was received on

PEER REVIEW

There were no major scientific or technical products supporting this action as defined by the Agency's Peer Review Handbook. We did not, therefore, submit any supporting documents for peer review.

PLAIN LANGUAGE

The *Federal Register* notice is directed at interested members of the public, so it is written in plain language. However, due to the technical nature of the Manual itself, the proposed drinking water PAG is written in the same tone as the 2013 PAG Manual.

ANTICIPATED EXTERNAL REACTION

We are anticipating a similar reaction to this proposal as what the Agency received on the 2013 revised PAG Manual. In general, the intended users of the Manual (including state, local, and tribal entities) were positive about the 2013 PAG Manual and will provide helpful suggestions for incorporation during this round of review. The drinking water industry will provide feedback on further implementation guidance needed for their plans. There is a sentiment among some environmental groups that the radiation levels provided in the guidance are not safe, or will in some way undermine environmental

regulations. Strategic messages have been included in our outreach materials as well as provided for the emergency managers who will implement the guidance in a real emergency.

STAFF CONTACT

The project lead is Sara DeCair, from the Office of Radiation and Indoor Air's Radiation Protection Division. She may be reached at (202) 343-9108.

RECOMMENDATION

Because of EPA's unique responsibility to provide PAGs and the need for consistent emergency preparedness across the United States in light of the Fukushima disaster, I recommend you sign the attached notice for publication.

Attachments

MEMO TO: Karen Gude, special assistant to EPA Office of Water AA Joel Beauvais

FROM: Diane D'Arrigo, Nuclear Information and Resource Service

RE: Attendees for meeting on Water PAGs

Update January 4, 2017

Diane D'Arrigo

Nuclear Information and Resource Service

Geoff Fettus

Natural Resources Defense Council

Damon Moglen

Friends of the Earth

Dr. Catherine Thomasson

Physicians for Social Responsibility

Emily Wurth

Food and Water Watch

John Coequyt or Dalal Aboulhosn

Sierra Club

Cindy Silberman

Beyond Nuclear

On phone

Paul Gallay

Riverkeeper

Dan Hirsch

Program on Environmental and Nuclear Policy, University of California, Santa Cruz

Lynn Thorp

Clean Water Action

Lois Gibbs

Center for Health, Environment and Justice

Steve Frishman

Nevada Nuclear Waste Task Force

Denise Duffield

Physicians for Social Responsibility

1 or 2 others

To: Christ, Lisa[Christ.Lisa@epa.gov]

Hernandez-Quinones, Samuel[Hernandez.Samuel@epa.gov] Cc:

From: Hernandez-Quinones, Samuel Mon 12/26/2016 10:17:43 PM Sent:

Subject: Hernandez-Quinones, Samuel has shared 'Concurrence Package Final DW PAGs'

Hi Lisa, I am making sure that I sent this link to you in case there needs to be anything done regarding the transmittal letters. I also uploaded the latest versions of the PAG Document as well as the FR Notice on one drive.

Please let me know if there is anything I can assist with on these hopefully final stages of the PAG. Ex. 6 - Personal Privacy and also samuelhernandez@gmail.com

Thanks Sam

Go to Concurrence Package Final DW PAGs

Get the OneDrive mobile app! Available for



